

## CHAPTER 3: ON THE GENEALOGY OF JUSTICE: LANGUAGE, TIME AND DEBT

All are crying out, ‘Give us facts, not theories!’ Yet everybody really does theorize for himself. To reason – to deduce is the prerogative of man; and we in truth, take every fact, however mysterious, in connection with a presumed cause. A visible phenomenon forces on us the conviction that there is behind it an adequate agency, even though that agency be occult. Every fact is a theory if we did but know it. The fall of the apple includes the system of the universe.<sup>106</sup>

We dissect nature along lines laid down by our native language... Language is not simply a reporting device for experience, but a defining framework for it.

Benjamin Whorf

### 1. The Resurrection of the Artist as Lawgiver

Nietzsche’s philosophical project can be succinctly summarized as an attempt to get modern men to reclaim their inevitable status as artists. As we have seen in chapter two, despite a continuous effort to deny or escape this condition, human beings are first and foremost interpreting beings, bound to language and a perspectival existence. And this implies existence as artists; we are forever doomed to construct, simplify, add to, cut from and arrange the world in ways determined by our sensory apparatus and psychological needs. This makes us lawgivers as well. Like art, law functions to form and reduce the *arbitrariness* of life. If we are to speak of a human world at all, we speak in terms of the regulative and imperative. This is the task of law; stability, certainty and predictability are after all the most salient features of law. What Nietzsche wanted to do, however, was to show that the enterprise of morality comprised far more than the universal principles and metaphysical fictions that has up to now been taken to constitute morality *per se*. This is why genealogy is so important. Before we can turn our attention to Nietzsche’s ‘new’ justice, we need to demonstrate the contingency of the modern moral/legal framework.

---

<sup>106</sup> Townsend, C. M. *Mesmerism Proved True*. Quoted by A. N. Wilson in *The Victorians*. London: Hutchenson, 2002.

Even a brief genealogical probe reveals that no stable concept, not even in its simplest linguistic form, is ever innocent. Behind all apparently clearly circumscribed concepts are the metaphysician's belief in the principle of identity. This belief is the reason why Michel Haar describes a 'concept' as 'a unit of meaning which comprises and contains, in an identical and total manner, the content it assumes'.<sup>107</sup> A concept can thus be understood as a single petrified unit of meaning which is distinguishable from other such units. It is, in other words, an attempt to order our understanding of the world into easily manageable units of meaning.

Nietzsche's genealogical inquiry is an attempt to undermine this assumption of the *solidity* of the concepts that make up our world by tracing and analyzing the lines of demarcation between the apparently mutually exclusive concepts that form the traditional moral vocabulary of the West. In this way, he traces the operation of the will to power. The most important aspect of this genealogical tracing is the exposition of how a moral community establishes its boundaries by way of its mode of evaluation and differentiation. This enterprise subjects the history of conceptualization to the volatilising effect of genealogical analysis, and disconnects such treasured metaphysical constructions as good and evil, true and untrue, just and unjust, from any fixed point or reference. From this perspective, the history of language becomes the history of the will to power. The most indispensable concepts that help to order the world are revealed as products of human desire, the more valuable because they are so. After Nietzsche these concepts simply cannot be seen as testifying to an underlying metaphysical reality that determines the ways in which we speak of it. Categories such as 'causality', 'freedom' and 'motive' are to be understood as conventional fictions for purposes of communication and designation, and have therefore limited explanatory power. Even that apparently rock-solid foundation of the Enlightenment, the ego, is but yet another perspective, or a *result* of particular perspectives on the world:

Das Denken setzt erst das Ich: aber bisher glaubte man, wie das 'Volk', im 'ich denke' liege irgend etwas von Unmittelbar-Gewissem und dieses 'Ich' sei die gegebene Ursache des Denkens, nach deren Analogie wir alle sonstigen ursächlichen Verhältnisse 'verstünden'. Wie sehr gewohnt und unentbehrlich jetzt jene Fiktion auch sein mag, das beweist nichts gegen ihre

---

<sup>107</sup> Haar, M. 'Nietzsche and Metaphysical Language' in Allison, D. (ed.) *The New Nietzsche*. New York: Dell Publishing, 1977.

Erdichtetheit: es kann etwas Lebensbedingung und trotzdem falsch sein.  
(Aphorism 10350, *NL* 84-85, KSA 11.526)

As a matter of fact, concepts are *always* false since, for human beings existing in the world, representing the totality of being is impossible. The partial and prejudiced nature of representation means that no event exists ‘in itself’. Everything that happens consists of a number of phenomena that are gathered and selected by an interpreting being. The development of human knowledge has to be understood in terms of a will to power by which the human being increases its form-giving power and mastery over the external world.

Die Form, die Gattung, das Gesetz, die Idee, der Zweck – hier wird überall der gleiche Fehler gemacht, daß einer Fiktion eine falsche Realität untergeschoben wird: wie als ob das Geschehen irgendwelchen Gehorsam in sich trage, – eine künstliche Scheidung im Geschehen wird da gemacht zwischen dem, was thut und dem, wonach dies Thun sich richtet (aber das was und das wonach sind nur angesetzt von uns aus Gehorsam gegen unsere metaphysisch-logische Dogmatik: kein ‘Thatbestand’). (Aphorism 11477, *NL* 85-87 KSA 12.417).

Like Molière’s bourgeois gentleman, who discovers that he has been speaking prose for 40 years without realizing it, we human beings are artists despite our most earnest efforts to be metaphysicians or ‘scientists’ and discover the thing-in-itself, the final truth beyond all interpretation. That elusive final ‘truth’, however, is already something of our own making.

Die Künstler mögen hier schon eine feinere Witterung haben: sie, die nur zu gut wissen, dass gerade dann, wo sie Nichts mehr ‘willkürlich’ und Alles nothwendig machen, ihr Gefühl von Freiheit, Feinheit, Vollmacht, von schöpferischem Setzen, Verfügen, Gestalten auf seine Höhe kommt, – kurz, dass Nothwendigkeit und ‘Freiheit des Willens’ dann bei ihnen Eins sind. (*JGB* 213, KSA 5.148)

Nietzsche begins his essay *Ueber Wahrheit und Lüge im aussermoralischen Sinne* by describing the invention of knowledge by ‘clever animals’ on a distant star. These animals, for all their cleverness, cannot escape the caprice of nature, which is as indifferent to them as Moira<sup>108</sup> is to the pain of the individual. No fable, however, can illustrate the vulnerability of human intellect within the chaos of nature well

---

<sup>108</sup> See chapter 1.

enough: ‘es gab Ewigkeiten, in denen er nicht war; wenn es wieder mit ihm vorbei ist, wird sich nichts begeben haben. Denn es giebt für jenen Intellekt keine weitere Mission, die über das Menschenleben hinausführte’ (*WL I*, KSA 1.875). Knowledge is above all an instrument, designed in accordance with and *limited to* human needs in a world that is in a constant state of flux. For Nietzsche, the world is forever becoming, and can therefore never, strictly speaking, be ‘known’. What passes under the rubric of knowledge is in reality only the simulacra of being that we have unwittingly constructed. Thinking is thus possible only in terms of that which remains stable long enough for us to engage with it. Because the world is ‘in a state of becoming’, knowledge about it cannot in the strictest sense truly be formulated, as knowledge and becoming are mutually exclusive: ‘Der Charakter der werdenden Welt als unformulirbar, als ‘falsch’, als ‘sich-widersprechend’. Erkenntniß und Werden schließt sich aus’. What we call ‘knowledge’ therefore differs from our normal definition of it; it is actually a *will* to make knowable. ‘Folglich muß ‘Erkenntniß’ etwas anderes sein: es muß ein Wille zum Erkennbar-machen vorangehn, eine Art Werden selbst muß die Täuschung des Seienden schaffen’ (Aphorism 11422, *NL* 85-87, KSA 12.382).

‘Knowledge’ is thus not the correlate of ‘to know’ but the result of our ability to schematize, to legislate, to impose upon chaos as much stability as it can bear. This schematization is imposed according to our practical requirements, since there is no such thing as disinterested knowledge. What is normally experienced as ‘knowledge’ is but the calcified laws in terms of which we are allowed to think. Vital in the evolution of reason, says Nietzsche, was not

‘erkennen’, sondern schematisiren, dem Chaos so viel Regularität und Formen auferlegen, als es unserem praktischen Bedürfniß genug thut. In der Bildung der Vernunft, der Logik, der Kategorien ist das Bedürfniß maaßgebend gewesen: das Bedürfniß, nicht zu ‘erkennen’ sondern zu subsumiren, zu schematisiren, zum Zweck der Verständigung, der Berechnung... das Zurechtmachen, das Ausdichten zum Ähnlichen, Gleichen – derselbe Proceß, den jeder Sinneseindruck durchmacht, ist die Entwicklung der Vernunft! (Aphorism 12305, *NL* 87-89 KSA 13.334).

For Nietzsche, all interpretation is creation inasmuch as it is engaged in the re-interpretation and re-configuration of the world. The will to power animates, energizes, moves, and strives to proliferate. This explains why Nietzsche insists upon a new type of knowledge, one that refuses the sedentary and is closely aligned with

the *moving* arts: theatre, dance and music. As will be demonstrated throughout this chapter, every intellectual construction or category imposed upon the world, notwithstanding its claims to ‘objectivity’, has an artistic and therefore legislative dimension to it. Even mere perception is a selective, world-constitutive operation in the manner of that ultimate impersonal ‘artist’, the will to power. This means that there is an aesthetic dimension even to man’s simplest judgments.

Da jener Berg! Da jene Wolke! Was ist denn daran ‘wirklich’? Zieht einmal das Phantasma und die ganze menschliche Zuthat davon ab, ihr Nüchternen! Ja, wenn ihr das könntet! Wenn ihr eure Herkunft, Vergangenheit, Vorschule vergessen könntet, – eure gesammte Menschheit und Thierheit! Es giebt für uns keine ‘Wirklichkeit’ – und auch für euch nicht, ihr Nüchternen. (*FW* 57, KSA 3.422)

The best way of avoiding the pitfall of defining the mercurial will to power in terms of a determined concept, is to describe it as *interpretation in action*. When Nietzsche describes the will to power with respect to human beings, the term often operates as a metaphor for the act of interpretation.

Der Wille zur Macht interpretirt: bei der Bildung eines Organs handelt es sich um eine Interpretation; er grenzt ab, bestimmt Grade, Machtverschiedenheiten. Bloße Machtverschiedenheiten könnten sich noch nicht als solche empfinden: es muß ein wachsen-wollendes Etwas da sein, das jedes andere wachsen-wollende Etwas auf seinen Werth hin interpretirt. Darin gleich – In Wahrheit ist Interpretation ein Mittel selbst, um Herr über etwas zu werden. (Der organische Prozeß setzt fortwährendes Interpretiren voraus) (Aphorism 11029, *NL* 85-87, KSA 12.140).

To interpret is to see in a particular way, at the expense of other possibilities of interpretation. We ourselves are the source of this interpretative injustice, or more correctly, our need for a world in which it is possible to live, is. To a certain extent, then, man is the measure of the world, but only *his* world. In a note from the *Nachlass* he writes: ‘Ist für uns die Welt nicht nur ein Zusammenfassen von Relationen unter einem Maaße? Sobald dies willkürliche Maaß fehlt, zerfließt unsere Welt!’ (Aphorism 5797, *NL* 82-84, KSA 9.454). Man is thus a contingent measure and our measurements do not refer to an original, underlying reality. What we call reality is the result not only of our limited perspectives upon the world, but the *interplay* of those perspectives themselves. In another note, Nietzsche writes:

jedes Kraftzentrum hat für den ganzen Rest seine Perspektive d.h. seine ganz bestimmte Werthung, seine Aktions-Art, seine Widerstandsart. Die 'scheinbare Welt' reduziert sich also auf eine spezifische Art von Aktion auf die Welt, ausgehend von einem Centrum. Nun giebt es gar keine andere Art Aktion: und die 'Welt' ist nur ein Wort für das Gesamtspiel dieser Aktionen. Die Realität besteht exakt in dieser Partikulär-Aktion und Reaktion jedes Einzelnen gegen das Ganze. (Aphorism 12337, *NL* 87-89, KSA 13.370).

Since the will to power is neither an entity nor a metaphysical construct – although the final verdict on that evaluation is not yet in – it will be best to define it as the endless interplay of forces that act on one another through a process of action and resistance. Deleuze, for example, points out that it is a common error to equate the will to power with some schema of representation. Grammatically, in a sentence like 'the will desires power', the word 'power' denotes an object that the will desires. This kind of misreading is due to a linguistic distortion: 'pouvoir est ce qui veut dans le vouloir'<sup>109</sup> – 'power is that which wants in the wanting'<sup>110</sup>. The will to power is the drive to become more, a mode of being that is constantly in the process of becoming. The will to power is thus not a being, but the most elemental condition from which effecting and becoming can emerge. Müller-Lauter describes it in terms of 'dynamic quanta' which 'do not first exist for themselves and then enter a relationship with one another. They exist only in the incessantly changing referentiality of all to all'.<sup>111</sup> There is therefore nothing *behind* the world that occasions the events in it; rather, it is the constant struggle between complex pluralities inherent in the world that allows them to emerge. Human beings are therefore inextricably bound up with the world, and contrary to their strongest desires, cannot escape from it. This allows for neither crude determinism by forces outside the self, nor for a self-sufficient subject that determines the conditions of its own existence, but what Müller-Lauter describes as 'quantitative particularization', a 'complex form of specificity', and Nietzsche simply calls a perspective. In other words, man can be as acquainted with the world as he can be with himself, which is to say, only to a limited extent: 'Der Mensch kommt erst ganz langsam dahinter, wie unendlich complicirt die Welt ist. Zuerst denkt er sie sich

---

<sup>109</sup> Deleuze, G. *Nietzsche et la Philosophie*. Paris: *Deuxième*, 1967, p. 59.

<sup>110</sup> Deleuze, G. *Nietzsche and Philosophy*. Translated by Hugh Tomlinson. London: Athlone Press, 1986, p. 45.

<sup>111</sup> Müller-Lauter, *Nietzsche, His Philosophy of Contradictions and the Contradictions of his Philosophy*. Illinois: University of Illinois Press, 1999, p. 19.

ganz einfach, d.h. so oberflächlich als er selbst ist'. (Aphorism 1098, NL 87-89 KSA7.457.)

But this is good news. Creativity, which since Euripides, Socrates and Plato has been treated with such contempt, is in Nietzsche's eyes not only the last remedy against nihilism but also man's greatest gift. It is impossible to think of justice without first referring to Nietzsche's doctrine of perspectivism. Had we access to true objectivity, the question of justice would be superfluous. Despite the obvious impossibility of ever attaining this state, philosophy has tended to treat the question of justice and the unavoidable activity of judgement as something *provisional*, a question to be suspended once the *telos* of absolute, self-identical truth is reached, whether in the great beyond or in the ideal state.

From these very perspectival limitations, however, springs the potential for creation, the supreme justification for human existence. As we shall see later, Nietzsche evaluates human 'types' according to their ability to face their inevitably perspectival existence and make the most of it. This is of crucial importance for understanding the master/slave dichotomy, the task of genealogy, the operation of the will to power and, for our purpose in particular, the moralization of the concept of justice.

The immediate consequence of affirming the plurality of perspectives is a re-evaluation of the concept of objectivity. The myth of objectivity, whether understood aesthetically, as the ideal of objects that paint or photograph themselves by their own activity on a purely passive medium, or epistemologically, as 'truth', is summarily dealt with: '[d]ies wäre eine Mythologie' (UB II, KSA 1.290). Nietzsche is adamant that the 'will to be objective' is 'a modern misunderstanding'. Writing on realism in art, he says, 'Aber es giebt kein 'Ding an sich' – meine Herren! Was sie erreichen, ist Wissenschaftlichkeit oder Photographie d.h. Beschreibung ohne Perspektiven, eine Art chinesischer Malerei, lauter Vordergrund und alles überfüllt' (Aphorism 8901, NL 84-85, KSA 11.125). The ideal of objectivity is ridiculous in aesthetics, and shallow and decadent in the domain of epistemology: 'Soweit überhaupt das Wort "Erkenntniß" Sinn hat, ist die Welt erkennbar: aber sie ist anders deutbar, sie hat keinen Sinn hinter sich, sondern unzählige Sinne "Perspektivismus"' (Aphorism 11315, NL 85-87, KSA12.315).

The myth of objectivity is also unfruitful, because it makes us forget that the moment of apprehension is a creative moment, the moment when human beings are at

their best. The goal of disinterested contemplation presupposes conceptual fictions and requires the positing of a disembodied disinterested knower, ‘an eye turned in no particular direction’. Nietzsche tries to account for the affective components and influencing factors discounted by traditional epistemology. His re-constituted version of ‘objectivity’, usually indicated by quotation marks, acknowledges that knowledge is a function of the embodied expression of affective investment in the world. This, however, should under no circumstances be equated with relativism. Instead, his ‘panoptics’ is an attempt to salvage the possibility of knowledge in the light of the failure of traditional epistemology to provide a usable body of knowledge based on disaffected, disinterested contemplation:

Seien wir zuletzt, gerade als Erkennende, nicht undankbar gegen solche resolute Umkehrungen der gewohnten Perspektiven und Werthungen, mit denen der Geist allzulange scheinbar freventlich und nutzlos gegen sich selbst gewüthet hat: dergestalt einmal anders sehn, anders-sehn-wollen ist keine kleine Zucht und Vorbereitung des Intellekts zu seiner einstmaligen ‘Objektivität’, – letztere nicht als ‘interesselose Anschauung’ verstanden (als welche ein Unbegriff und Widersinn ist), sondern als das Vermögen, sein Für und Wider in der Gewalt zu haben und aus- und einzuhängen: so dass man sich gerade die Verschiedenheit der Perspektiven und der Affekt-Interpretationen für die Erkenntniss nutzbar zu machen weiss (*GM III 12, KSA 5.365*).

Perspectives, for Nietzsche, are not disembodied points of view hovering disinterestedly over the world. Instead of trying to do away with the notion of perspective, which Nietzsche describes an act of self-directed castration: we should appropriate the multiplicity of perspectives for a more complete vision of the world.

Es giebt *nur* ein perspektivisches Sehen, *nur* ein perspektivisches ‘Erkennen’; und *je mehr* Affekte wir über eine Sache zu Worte kommen lassen, *je mehr* Augen, verschiedene Augen wir uns für dieselbe Sache einzusetzen wissen, um so vollständiger wird unser ‘Begriff’ dieser Sache, unsre ‘Objektivität’ sein. Den Willen aber überhaupt eliminiren, die Affekte sammt und sonders aushängen, gesetzt, dass wir dies vermöchten: wie hiesse das nicht den Intellekt *castriren*? (*GM III, 12, KSA 5.365*).

Perspectivism thus implies that knowledge is only really possible once our affective engagement with the world is acknowledged. Until this happens, we can at best speak of a desiccated, anaemic simulacrum of knowledge. Nietzsche’s rehabilitation of the metaphoric of vision in pluralist form returns the knower to her body, suffused with



affect, inextricably situated in the world and inscribed by the torment and pain inflicted by moralizing mores and disciplining institutions. The task of the *Wissenschaftler* is to compile as exhaustive an aggregation of radically different perspectives as possible, a chorus of situated voices. The insistence upon locating a single ‘correct’ perspective leads, paradoxically, to a diminution of knowledge and an impoverished, ascetic existence.

But the ghost of nihilism is not banished this easily. As we have seen in the introduction, Nietzsche describes the crisis that is modern nihilism as a ‘calamity’ that has ‘wiped out the horizon’ (*FW* 125), which leaves human beings bereft of any authoritative reference or shared ground to underpin their understanding of the world, themselves and each other. Nihilism in this context means *measurelessness*, or the disappearance of a meaning-giving conceptual framework. For Nietzsche, this is the result of an epistemological obsession with detached observation.

Unser neues ‘Unendliches’. – Wie weit der perspektivische Charakter des Daseins reicht oder gar ob es irgend einen andren Charakter noch hat, ob nicht ein Dasein ohne Auslegung, ohne ‘Sinn’ eben zum ‘Unsinn’ wird, ob, andererseits, nicht alles Dasein essentiell ein auslegendes Dasein ist – das kann, wie billig, auch durch die fleissigste und peinlich-gewissenhafteste Analysis und Selbstprüfung des Intellekts nicht ausgemacht werden: da der menschliche Intellekt bei dieser Analysis nicht umhin kann, sich selbst unter seinen perspektivischen Formen zu sehn und nur in ihnen zu sehn. Wir können nicht um unsre Ecke sehn: es ist eine hoffnungslose Neugierde, wissen zu wollen, was es noch für andre Arten Intellekt und Perspektive geben könnte: zum Beispiel, ob irgend welche Wesen die Zeit zurück oder abwechselnd vorwärts und rückwärts empfinden können (womit eine andre Richtung des Lebens und ein anderer Begriff von Ursache und Wirkung gegeben wäre). Aber ich denke, wir sind heute zum Mindesten ferne von der lächerlichen Unbescheidenheit, von unsrer Ecke aus zu dekretiren, dass man nur von dieser Ecke aus Perspektiven haben dürfe. Die Welt ist uns vielmehr noch einmal ‘unendlich’ geworden: insofern wir die Möglichkeit nicht abweisen können, dass sie unendliche Interpretationen in sich schliess (*FW* 374, KSA 3.627).

Nietzsche returns to man’s situated and perspective-structured existence precisely in order to counter nihilism by re-evaluating man’s most *human* characteristics, the capacity to judge and the ability to create limits, laws and protective frameworks.

What makes Nietzsche truly an optimistic philosopher is his faith in human becoming; in the ability of the ‘as yet undetermined animal’ to rise above his current nihilistic condition and achieve new ideals. Nietzsche’s doctrine of unavoidable

perspectivism is a reminder that the indeterminacy of both the human being and his world is not *absolute*; nothing in the world can appear as ‘pure’ formlessness. Indeterminacy is always bound to a particular form. These conditions make it possible for man to live and function as *judge*: the world is malleable enough to operate as playing field for the legislators of the future, yet resistant enough to make the act of legislation meaningful.

Before we begin to explore this idea further by turning to the inherent legislative dimension of language, let us first briefly discuss the other ‘natural’ limits and horizons that make perspective possible. According to Alan Schrift,<sup>112</sup> Nietzsche identifies three basic types of limitation on human knowledge, which Schrift labels physiological, ‘instinctual’ and socio-historical limits. Nietzsche first invokes the role of philosophy’s ancient *bête noire*, the body, in determining the limits placed on our perspective by our physical existence. In a well-known paragraph from *Daybreak*, entitled ‘In Prison’, Nietzsche writes:

*Im Gefängniss.* – Mein Auge, wie stark oder schwach es nun ist, sieht nur ein Stück weit, und in diesem Stück webe und lebe ich, diese Horizont-Linie ist mein nächstes grosses und kleines Verhängniss, dem ich nicht entlaufen kann. Um jedes Wesen legt sich derart ein concentrischer Kreis, der einen Mittelpunct hat und der ihm eigenthümlich ist. Ähnlich schliesst uns das Ohr in einen kleinen Raum ein, ähnlich das Getast. Nach diesen Horizonten, in welche, wie in Gefängnissmauern, Jeden von uns unsere Sinne einschliessen, messen wir nun die Welt, wir nennen Dieses nah und Jenes fern, Dieses gross und Jenes klein, Dieses hart und Jenes weich: diess Messen nennen wir Empfinden, – es sind Alles, Alles Irrthümer an sich! Nach der Menge von Erlebnissen und Erregungen, die uns durchschnittlich in einem Zeitpuncte möglich sind, misst man sein Leben, als kurz oder lang, arm oder reich, voll oder leer: und nach dem durchschnittlichen menschlichen Leben mist man das aller anderen Geschöpfe, – es sind Alles, Alles rthümer an sich! Hätten wir hundertfach schärfere Augen für die Nähe, so würde uns der Mensch ungeheuer lang erscheinen; ja, es sind Organe denkbar, vermöge deren er als unermesslich empfunden würde. Andererseits könnten Organe so beschaffen sein, dass ganze Sonnensysteme verengt und zusammengeschnürt gleich einer einzigen Zelle empfunden werden: und vor Wesen entgegengesetzter Ordnung könnte Eine Zelle des menschlichen Leibes sich als ein Sonnensystem in Bewegung, Bau und Harmonie darstellen. Die Gewohnheiten unserer Sinne haben uns in Lug und Trug der Empfindung eingesponnen: diese wieder sind die Grundlagen aller unserer Urtheile und ‘Erkenntnisse’, – es giebt durchaus kein Entrinnen, keine Schlupf- und Schleichwege in die wirkliche Welt! Wir sind in unserem Netze, wir Spinnen,

---

<sup>112</sup> Schrift, A.D. *Nietzsche and the Question of Interpretation. Between Hermeneutics and Deconstruction*. London: Routledge 1990, p. 146.

und was wir auch darin fangen, wir können gar Nichts fangen, als was sich eben in unserem Netze fangen lässt (*M* 117, KSA 3.110).

This rather lengthy quote should make it clear that anything but a perspectival existence is impossible. Sense perception is not neutral, but evaluative:

Unsere Wahrnehmungen, wie wir sie verstehen: d.i. die Summe aller der Wahrnehmungen, deren Bewußtwerden uns und dem ganzen organischen Prozesse vor uns nützlich und wesentlich war: also nicht alle Wahrnehmungen überhaupt (z.B. nicht die elektrischen). Das heißt: wir haben Sinne nur für eine Auswahl von Wahrnehmungen – solcher, an denen uns gelegen sein muß, um uns zu erhalten. Bewußtsein ist so weit da, als Bewußtsein nützlich ist. (Aphorism 10976, *NL* 85, KSA12.108).

Because our physiological and sensory capabilities restrict our apprehension of the world, we cannot but have a very limited perspective on the world. The German word for perception, *Wahrnehmen*, means ‘taking-as-true’. Our physical existence acts as a kind of ‘filter’ through which perception is possible. Philosophy tends to treat this as a problem to overcome; at least since the Enlightenment the body has become alien, a strange barrier to the pure knowledge that can be accessed through the mind. Nothing, however, undermines metaphysical dualism as effectively as genuine awareness of physical existence. In its peculiarly enigmatic fashion – Nietzsche might have called it ‘feminine’ – the body refuses to be separated from its secrets. In contrast to the standard dualist assumption that the mind directs the body, Nietzsche claims that the body creates while the soul is merely one of its instruments. ‘Aber der Erwachte, der Wissende sagt: Leib bin ich ganz und gar, und Nichts ausserdem; und Seele ist nur ein Wort für ein Etwas am Leibe’, says Zarathustra (*Z* I, ‘Von den Verächtern des Leibes’, KSA 4.39).

In addition to physiological limitations, man’s interaction with the world is also conditioned by a collection of impulses that Schrift labels as ‘instinctual’.<sup>113</sup> This includes all the drives, emotions and needs that affect human perception, as well as the instincts proper, a topic that Nietzsche frequently mentions. For Nietzsche, everything that we can know, and all our judgments about what we think we know, have a history in our impulses: ‘Dein Urtheil “so ist es recht” hat eine Vorgeschichte in deinen Trieben, Neigungen, Abneigungen, Erfahrungen und Nicht-Erfahrungen;

---

<sup>113</sup> Schrift, A. D. *ibid*, p.147.

“wie ist es da entstanden?” musst du fragen, und hinterher noch: ‘was treibt mich eigentlich, ihm Gehör zu schenken?’ (FW 335, KSA 3.561). And again, ‘unsre Bedürfnisse sind es, die die Welt auslegen: unsre Triebe und deren *Für* und *Wider*. Jeder Trieb ist eine Art Herrschsucht, jeder hat seine Perspektive, welche er als Norm allen übrigen Trieben aufzwingen möchte’ (Aphorism 11315, NL 85-87, KSA 12.315).

We are animal before we become human, and how we become human is a different story for each individual, who thus has a unique perspective on the world. Since our experiences are ultimately individual and unique, our knowledge of the world must reflect this inevitable perspective: ‘Ich glaube, dass Jeder über jedes Ding, über welches Meinungen möglich sind, eine eigene Meinung haben muss, weil er selber ein eigenes, nur einmaliges Ding ist, das zu allen anderen Dingen eine neue, nie dagewesene Stellung einnimmt.’ (HAH, 286 KSA 2.223). Even the greatest artist is capable only of producing miniatures of *one* life, her own. We are doomed always to be in our own company, and this is at once our greatest limitation and the horizon that allows us to focus: ‘Immer in unserer Gesellschaft. – Alles, was meiner Art ist, in Natur und Geschichte, redet zu mir, lobt mich, treibt mich vorwärts, tröstet mich –: das Andere höre ich nicht oder vergesse es gleich. Wir sind stets nur in unserer Gesellschaft’ (FW 166, KSA 4.398).

One of the most important instincts of the instinctual *agon*, in fact the instinct second only to the desire to discharge one’s power, is the instinct of survival. For this reason we tend to adopt the perspective on the world that enhances our chances of survival: ‘Unsere empirische Welt wäre aus den Instinkten der Selbsterhaltung auch in ihren Erkenntnißgrenzen bedingt: wir hielten für wahr, für gut, für werthvoll, was der Erhaltung der Gattung frommt –’ (Aphorism 12256 NL 87-89, KSA 13.281).

Crucial among the instincts for survival is the need to communicate. In *Die Fröhliche Wissenschaft* section 354 Nietzsche speculates:

Gesetzt, diese Beobachtung ist richtig, so darf ich zu der Vermuthung weitergehn, dass Bewusstsein überhaupt sich nur unter dem Druck des Mittheilungs-Bedürfnisses entwickelt hat, – dass es von vornherein nur zwischen Mensch und Mensch (zwischen Befehlenden und Gehorchenden in Sonderheit) nöthig war, nützlich war, und auch nur im Verhältniss zum Grade dieser Nützlichkeit sich entwickelt hat. (FW 354, KSA 3.590)

Through his genealogy of morals, Nietzsche demonstrates that the will to truth is deployed through rhetorical usage, and is closely linked to the development of consciousness. According to Nietzsche, we should not be so quick to connect the development of consciousness to the senses. It is possible to separate sensation and the ideas of consciousness. Our awareness of our condition by no means affects the things we can and must do to survive as a species. We need certain mental means to act in a particular way, but it is by no means necessary to reflect back on those acts, to be conscious of them in order to perform them. Sensation, in particular, is independent of consciousness and can even be said to be prior to it. We need not reflect upon what it means to feel in order to feel. Indeed the whole of life would be possible without ‘seeing itself in the mirror’. By far the greatest portion of our lives actually takes place without this mirror effect; this is true even of our thinking, feeling and willing life, however offensive this may sound to older philosophers.

Consciousness itself is thus always positional, historically situated, bound up with the needs of the herd or group. Consciousness is never purely innocent and, in the strictest sense, does not really belong to the individual himself. This underlines the futility of the modern subject’s obsession to ‘know himself’<sup>114</sup>. As Hannah Arendt might have concurred, any attempt to know *Man* is at the same time only knowledge of *men*. We can at best hope to become more familiar with the *average* man. The *pathos* of truth is a slavish epistemology.

Mein Gedanke ist, wie man sieht: dass das Bewusstsein nicht eigentlich zur Individual-Existenz des Menschen gehört, vielmehr zu dem, was an ihm Gemeinschafts- und Heerden-Natur ist; dass es, wie daraus folgt, auch nur in Bezug auf Gemeinschafts- und Heerden-Nützlichkeit fein entwickelt ist, und dass folglich Jeder von uns, beim besten Willen, sich selbst so individuell wie möglich zu verstehen, ‘sich selbst zu kennen’, doch immer nur gerade das Nicht-Individuelle an sich zum Bewusstsein bringen wird, sein Durchschnittliches’, – dass unser Gedanke selbst fortwährend durch den Charakter des Bewusstseins – durch den in ihm gebietenden ‘Genius der Gattung’ – gleichsam majorisirt und in die Heerden-Perspektive zurück-übersetzt wird. (FW 354, KSA 3.592)

Technically, our unconscious could be a set of relations independent of language, but Nietzsche emphasizes that this is not the case. Our thoughts themselves are

---

<sup>114</sup> The Delphic order to ‘know thyself’ refers of course to the need to curb *hubris*. Lacan would take this theme of a subject split between immediate self-certainty and its simultaneous representation in language further. He, too, would no longer conceive of the subject as an exclusively private region inside the self, but as an effect of its relation with others within specific cultural contexts.

continuously governed, even developed further, by the subconscious, which is *communally* developed: ‘Der Zeichen-erfindende Mensch ist zugleich der immer schärfer seiner selbst bewusste Mensch; erst als sociales Thier lernte der Mensch seiner selbst bewusst werden, – er thut es noch, er thut es immer mehr’ (*FW* 354, KSA 3. 593). The would-be genealogist should be thoroughly aware of this. Ideas, formulated in social language, present themselves in the consciousness as unconscious physiological instincts and drives.

Nietzsche also presents us with a third class of perspectives that determine what we can know: the socio-historical. This refers to both the individual’s personal history and the historical context in which he finds himself. This means that what counts as ‘knowledge’ is coloured as much by individual as by general experience. This is why Nietzsche holds that ‘[z]uletzt kann Niemand aus den Dingen, die Bücher eingerechnet, mehr heraushören, als er bereits weiss. Wofür man vom Erlebnisse her keinen Zugang hat, dafür hat man kein Ohr’ (*EH* III I, KSA 6.300). Socio-historical factors only help to re-enforce Nietzsche’s conclusion, since it is just as impossible to escape the collective prejudices that develop historically as it is to escape individual perspective. What we today call ‘true’ is but what others had loved in other centuries: ‘Immer noch tragt ihr die Schätzungen der Dinge mit euch herum, welche in den Leidenschaften und Verliebtheiten früherer Jahrhunderte ihren Ursprung haben!’ (*FW* 57, KSA 3.421). This is why Nietzsche speaks of a ‘family failing’ shared by all the philosophers who preceded him, namely a lack of historical sense (e.g. *MA* 2). This lack is responsible for the philosopher’s faith in eternal and unchanging truths, *aeternita veritas*. The metaphysician always hopes for *something* stable in the eternal world of flux, without realizing that whenever he appears to find something that matches his criteria for ‘solid truth’, *he* is responsible for finding it there.

As perspectives are unavoidable, so too are they indispensable to human existence. Perspectives are what make human life in the world possible. It is not possible to slip beyond perspective and from an impartial position distinguish between ‘true’ and ‘false’ perspectives, so different criteria of judgement are needed. While the possibility of falseness sends the dogmatic metaphysician into nihilistic despair, Nietzsche actively rejoices in the creative potential of the ‘false’:

Die Falschheit eines Urtheils ist uns noch kein Einwand (objection) gegen ein Urtheil; darin klingt unsre neue Sprache vielleicht am fremdesten. Die Frage

ist, wie weit es lebensfördernd, lebenserhaltend, Art-erhaltend, vielleicht gar Art-züchtend ist; und wir sind grundsätzlich geneigt zu behaupten, dass die falschsten Urtheile (zu denen die synthetischen Urtheile a priori gehören) uns die unentbehrlichsten sind, dass ohne ein Geltenlassen der logischen Fiktionen, ohne ein Messen der Wirklichkeit an der rein erfundenen Welt des Unbedingten, Sich-selbst-Gleichen, ohne eine beständige Fälschung der Welt durch die Zahl der Mensch nicht leben könnte, – dass Verzichtleisten auf falsche Urtheile ein Verzichtleisten auf Leben, eine Verneinung des Lebens wäre. Die Unwahrheit als Lebensbedingung zugestehn: das heisst freilich auf eine gefährliche Weise den gewohnten Werthgefühlen Widerstand leisten; und eine Philosophie, die das wagt, stellt sich damit allein schon jenseits von Gut und Böse (*JGB* 4, *KSA* 5.18).

Through subordinating the question of a perspective's 'truth' or falseness to that of its value for life, Nietzsche is free to resurrect an *ethos* of playful lawgiving and put his doctrine of perspectivism to work in his effort to effect a trans-valuation of values.

Thus the artist/lawmaker's position as lawmaker, if it can be traced back to any one feature of the world, is born of the failure or rather the refusal of the world to be represented in language. Language is the final framework that encapsulates all the other perspectives hitherto discussed and is the precondition for their existence. This is because the subject is deeply intertwined with the means of his knowledge. Since human beings' aesthetic, form-giving powers are present at the origin of language, all forms of knowledge are ultimately a reflection on language, and from language we can extract no more than what we have already incorporated in it. Language itself is the original table of law, the mapping scheme that gives us the world as we know it. Since law-making in the form of the creation of generalities and concepts is midwife to the birth of language, there is no state 'before the law', of genuine law-*lessness*. Language is by its very nature *gesetzmässig*:

Jetzt wird nämlich das fixirt, was von nun an 'Wahrheit' sein soll d. h. es wird eine gleichmässig gültige und verbindliche Bezeichnung der Dinge erfunden und die Gesetzgebung der Sprache giebt auch die ersten Gesetze der Wahrheit: denn es entsteht hier zum ersten Male der Contrast von Wahrheit und Lüge: der Lügner gebraucht die gültigen Bezeichnungen, die Worte, um das Unwirkliche als wirklich erscheinen zu machen; er sagt z.B. ich bin reich, während für diesen Zustand gerade 'arm' die richtige Bezeichnung wäre. (*WL* 1, *KSA* 1.877)

The most obvious example of the operation of the lawgiver through the medium of language is the naming process, since philosophy itself began with nomenclature:

so beginnt die Philosophie mit einer Gesetzgebung der Größe, ein Namengeben ist mit ihr verbunden. „Das ist groß“ sagt sie und damit erhebt sich den Menschen über das blinde ungebändigte Begehren seines Erkenntnißtriebes. Durch den Begriff der Größe bändigt sie diesen Trieb: und am meisten dadurch, daß sie die größte Erkenntniß, vom Wesen und Kern der Dinge, als erreichbar und als erreicht betrachtet (*PTG KSA 1.817*).

Naming involves an artificial process of designation, differentiation and classification giving rise to *concepts* (*WL I*). Through naming, things which at best are similar are rendered identical by being given the same name. Whereas tradition would have it that by naming His creation, God gave it its essential nature, for Nietzsche naming merely involves creating a surface with neither depth nor reference. He argues that ‘es genügt, neue Namen und Schätzungen und Wahrscheinlichkeiten zu schaffen, um auf die Länge hin neue *Dinge* zu schaffen’ (*FW 58, KSA 3.422*). The thing thus created has no reality or reference behind the name. Theologians and metaphysicians make the mistake of assuming that ‘big words’, or words that name, are automatically of value, whereas in fact, according to Nietzsche, they have value only as flags in a battle: ‘Christenthum, Revolution, Aufhebung der Sklaverei, gleiches Recht, Philanthropie, Friedensliebe, Gerechtigkeit, Wahrheit: alle diese großen Worte haben nur Werth im Kampf, als Standarte: nicht als Realitäten, sondern als Prunkworte für etwas ganz Anderes (ja Gegensätzliches!)’ (Aphorism 11864, *NL 87-88, KSA 13.62*).

Names, like everything else, have a history, which is passed on whether approved of or not to whoever appropriates them. In the case of the erroneous claims metaphysics makes to ‘knowledge’, the motivating force is the ‘pathos of truth’. This pathos demands fixity, static conceptual points of reference around which a network of beliefs can be nurtured. This ‘truth’ comes to be stabilized and eventually fixed by means of concepts and so becomes capable of being *owned*. ‘Philosophy and religion’, says Nietzsche, arise from ‘a longing for property’ (*PHT, 60*). Instead, he says, concepts must no longer be taken for granted; the strange *moral* element in epistemology, with its piety towards what it has inherited, must be abandoned, as must the *contradictio in adjecto* of trusting in concepts and mistrusting the senses:

Was am letzten den Philosophen aufdämmert: sie müssen die Begriffe nicht mehr sich nur schenken lassen, nicht nur sie reinigen und aufhellen, sondern sie allererst machen, schaffen, hinstellen und zu ihnen überreden. Bisher vertraute man im Ganzen seinen Begriffen, wie als einer wunderbaren Mitgift aus irgendwelcher Wunder-Welt: aber es waren zuletzt die Erbschaften unserer fernsten, ebenso dümmsten als gescheitesten Vorfahren. Es gehört



diese Pietät gegen das, was sich in uns vorfindet, vielleicht zu dem moralischen Element im Erkennen. Zunächst thut die absolute Sceptis gegen alle überlieferten Begriffe. (Aphorism 10251, *NL* 84-85 KSA 11.487).

This means that language cannot be seen as representational, for what is to be represented comes into being with observation and discourse on observation itself. Whoever goes beneath the surface does so at his peril. Representation is illusion. Nietzsche writes:

Ja, was zwingt uns überhaupt zur Annahme, dass es einen wesenhaften Gegensatz von ‘wahr’ und ‘falsch’ giebt? Genügt es nicht, Stufen der Scheinbarkeit anzunehmen und gleichsam hellere und dunklere Schatten und Gesammttöne des Scheins, – verschiedene valeurs, um die Sprache der Maler zu reden? Warum dürfte die Welt, *die uns etwas angeht* –, nicht eine Fiktion sein? Und wer da fragt: ‘aber zur Fiktion gehört ein Urheber?’ – dürfte dem nicht rund geantwortet werden: *Warum?* Gehört dieses ‘Gehört’ nicht vielleicht mit zur Fiktion? Ist es denn nicht erlaubt, gegen Subjekt, wie gegen Prädikat und Objekt, nachgerade ein Wenig ironisch zu sein? Dürfte sich der Philosoph nicht über die Gläubigkeit an die Grammatik erheben? (*JGB* 34, KSA 5.54).

Language is thus a system of laws, a sum of concepts which result from the artistic imposition of an image on other images. As Derrida later emphasizes, there is no originary presence at the inception of language. At the origin of language is the primal force or *Urkraft* of the artist-legislator, but, as Barthes may have put it, this artist is dead; the intelligibility we discover in the world can only be achieved with the aid of words and concepts, and any knowledge of these only with the aid of other words and concepts. Far from fully representing reality, language at once hides reality and makes it possible. Only simile can describe this condition; experiencing the world through language is (and will remain) like encountering an iceberg, with two thirds remaining hidden and beyond the grasp of conceptualization.

As we mentioned above, in the strictest sense, no knowledge of the world is really possible, only different forms of knowledge of man. Knowledge that comes to be regarded as ‘true’ employs language according to conventions and rules and repeats these conventions infinitely. Knowledge, in other words, is tautologous. Another way of describing the desire for knowledge is the ‘desire for familiarity’, a desire ‘die Welt zu *vermenschlicht* d.h. immer mehr uns in ihr als Herren fühlen’ (Aphorism 9050, *NL* 84-85 KSA 11.92). It is a peculiar kind of ‘homesickness’ in a world that always threatens to become boundless:

Der Ursprung unsres Begriffs ‘Erkenntniss’. – Ich nehme diese Erklärung von der Gasse; ich hörte Jemanden aus dem Volke sagen ‘er hat mich erkannt’ –: dabei fragte ich mich: was versteht eigentlich das Volk unter Erkenntniss? was will es, wenn es ‘Erkenntniss’ will? Nichts weiter als dies: etwas Fremdes soll auf etwas Bekanntes zurückgeführt werden. Das Bekannte, das heisst: das woran wir gewöhnt sind, so dass wir uns nicht mehr darüber wundern, unser Alltag, irgend eine Regel, in der wir stecken, Alles und Jedes, in dem wir uns zu Hause wissen: – wie? ist unser Bedürfniss nach Erkennen nicht eben dies Bedürfniss nach Bekanntem, der Wille, unter allem Fremden, Ungewöhnlichen, Fragwürdigen Etwas aufzudecken, das uns nicht mehr beunruhigt? (*FW* 355, *KSA* 3.593).

Truth is thus a product of linguistic legislation, or a constructed fiction repeated enough times to lend it the stability it needs to become truth. Derrida calls this phenomenon ‘iterability’.<sup>115</sup> This word combines the Latin *iter*, meaning ‘again’ and the Sanskrit word *itara* (‘other’). For any word or image (Derrida uses the word ‘mark’) to have meaning, it must be repeatable in other contexts. The more often it is repeated, the more stable the word, image or sign becomes. But at the heart of even the most fossilized concept remains metaphor.

For Nietzsche, to use metaphor means to treat something as *identical* which has been recognized as similar at one point. This ‘lumping together’ of dissimilar things is the definition of metaphor that appears most frequently in Nietzsche’s work, but he does quote another, i.e. Aristotle’s classic conception of metaphor, ‘a metaphor is a carrying over of a word whose usual meaning is something else, either from the genus to the species, from the species to the genus, or from species to species or according to proportion’ (*Rhetoric*, 317). Nietzsche takes this notion of a linguistic carryin`g-over and, finding it too limited, extends it to include any transference from one domain to another, be it literal to figurative, concrete to abstract, physical to spiritual or subject to object. He famously distinguishes three stages of metaphor. ‘Er bezeichnet nur die Relationen der Dinge zu den Menschen und nimmt zu deren Ausdrücke die kühnsten Metaphern zu Hülfe. Ein Nervenreiz zuerst übertragen in ein Bild! erste Metapher. Das Bild wieder nachgeformt in einem Laut! Zweite Metapher. Und jedesmal vollständiges Ueberspringen der Sphäre, mitten hinein in eine ganz andere und neue’ (*WL* 1, *KSA* 1.879). From the sound, the concept is derived: third metaphor.

---

<sup>115</sup> Derrida, J. *Dissemination*. Translated by Barbara Johnson. Chicago University Press, 1981, p. 17. The term makes its appearance in nearly every Derridean text.

The process begins with the first metaphor, the transfer of stimuli from unconscious physiological processes to mental images. In this most primal stage, the process uses synecdoche, which allows for ‘inexactitude of sight’, the power within us that allows us to privilege certain features at the cost of others. The operation of synecdoche selects according to its own ‘persuasion’, according to its own relationship with things. It bars certain stimuli so as to create space for other stimuli, those that allow the individual to have a manageable perspective on the world. Thus the individual begins her own contest of power and domination. In other words, in the chaos of stimuli a space of contest is created where certain species can thrive. Deception plays an important role here, so without the ability to lead astray, language would not exist. Metaphor begins with ostracism or exclusion (*übersehen, weglassen, überhören*) and is followed by activities of displacement, transposition and commutation (*umdeuten, übertragen, vertauschen*). Language only emerges as a result of an intense agonistic game. Like everything new, it has its origins in violence.

Language is thus the result of a series of metaphorical translations that begins with a nerve impulse and becomes an image, then a sound or word, and only then a concept. This involves transfer through four different spheres, namely the physiological, intellectual, acoustic and abstract spheres. There is no question of a ‘perfect’ translation between the spheres, since the transfer is at best an aesthetic relation, which is of course a relationship that is far from simple. This ‘translation’ is characterized by the move from passive to active. For example, light enters the eye purely passively. It allows us, however, to identify the sensation with the sense and impute causality. The result is the *active* notion of ‘I saw a light’, which does not really represent what happened. Out of this transposition of cause and effect are born the active subject and the object, from whom all grammatical relations follow.

The contemporary term for describing this process of establishing differences and heterogeneities and subsequently hiding them is Derrida’s neologism *différance*, which is the word ‘difference’ written with an *a*. The two words are homophones in French, indicating their closeness. The new word does refer to a difference, but a difference or movement of differences whose identity is always unstable, rather than an absolute, essential difference. As Derrida says, ‘*différance* is the name we might give to the ‘active’, moving discord of different forces and of differences of forces

against the entire system of metaphysical grammar'.<sup>116</sup> The series of differences has a structure, or as Rudolphe Gasché puts it, an *infrastructure*.<sup>117</sup> The infrastructure is a *weave*, an unordered combination of antagonisms and differences whose very nature is that of a non-system. The differences that constitute this weave are not dissolved through the infrastructure, nor are they ordered into a dialectical framework in which their differences can only become a binary relationship of opposites.

The first two spheres of metaphor exist as the world of pure nerve stimulation and 'vivid first impressions' (*WL* 1). These two spheres operate interactively; the nerve stimulation is purely physiological, but allows the sphere of images, which is psychological, to come into being. The next transformation returns to the physiological, in the creation of sound and other material signifiers that make communication possible. The final construction, the concept, is a linguistically created metaphysical sphere, and it is in this sphere that man's capacity for lawgiving really begins, because it is only now that he becomes vaguely aware of his capacity to create. The concept is testimony to man's capacity to generalize, to fit countless other possible cases. And this is what ultimately defines the act of lawgiving:

...denn zwischen zwei absolut verschiedenen Sphären wie zwischen Subjekt und Objekt giebt es keine Causalität, keine Richtigkeit, keinen Ausdruck, sondern höchstens ein ästhetisches Verhalten, ich meine eine andeutende Uebertragung, eine nachstammelnde Uebersetzung in eine ganz fremde Sprache. Wozu es aber jedenfalls einer frei dichtenden und frei erfindenden Mittel-Sphäre und Mittelkraft bedarf. (*WL* I, KSA 1.884)

In this 'freely intermediate sphere' the human capacity for metaphor formation functions, and in this space the interpreted world that we know is born. Our primal relationship with the world is thus aesthetic. Truth originates when humans forget that they are 'artistically creating subjects' or products of law and begin to attach 'invincible faith' to their perceptions, thereby creating truth itself. For Nietzsche, the key to understanding the ethic of the concept, the ethic of representation, is *conviction*:

Ueberzeugung ist der Glaube, in irgend einem Punkte der Erkenntniss im Besitze der unbedingten Wahrheit zu sein. Dieser Glaube setzt also voraus, dass es unbedingte Wahrheiten gebe; ebenfalls, dass jene vollkommenen

<sup>116</sup> Derrida, J. *Margins of Philosophy*. Translated A. Bass. Brighton: Harvester, 1982, p.18.

<sup>117</sup> Gasché, R. *The Taint of the Mirror: Derrida and the Philosophy of Reflection*. Cambridge, MA: Harvard University Press, 1986, p.147-154.

Methoden gefunden seien, um zu ihnen zu gelangen; endlich, dass Jeder, der Ueberzeugungen habe, sich dieser vollkommenen Methoden bediene. Alle drei Aufstellungen beweisen sofort, dass der Mensch der Ueberzeugungen nicht der Mensch des wissenschaftlichen Denkens ist; er steht im Alter der theoretischen Unschuld vor uns und ist ein Kind, wie erwachsen er auch sonst sein möge. (*MA* 630, KSA 2.356)

Truth appears now as more than just convention; it takes the Apollonian trick of illusion to the extreme. The hope of knowledge as *adequatio intellectus et rei* is finally dashed. Instead of simply representing reality, metaphor is active in creating it, even at the level of perception. All knowing is mirrored in forms which are completely determined, yet not *a priori*.

Was ist also Wahrheit? Ein bewegliches Heer von Metaphern, Metonymien, Anthropomorphismen kurz eine Summe von menschlichen Relationen, die, poetisch und rhetorisch gesteigert, übertragen, geschmückt wurden, und die nach langem Gebrauche einem Volke fest, canonisch und verbindlich dünken: die Wahrheiten sind Illusionen, von denen man vergessen hat, dass sie welche sind, Metaphern, die abgenutzt und sinnlich kraftlos geworden sind, Münzen, die ihr Bild verloren haben und nun als Metall, nicht mehr als Münzen in Betracht kommen. (*WL* 1, KSA 1.881)

Once metaphor becomes established securely enough, a distinction between truth and lie now comes into being, a world organized around the principles of representation. It is as a system of rules and designations, and only in this sense, that language acquires the power of truth and lies. The only difference between the two is that the ‘truth’ is simply a much *older* lie, a lie that we have forgotten is a lie. To tell the truth in this context is to lie according to convention. This is not a problem, however, but a *necessity*; without the limiting Apollonian veil of forgetfulness, man would never have developed consciousness, and would forever have lingered in the dark, pre-rational world of Dionysian excess:

Nur durch das Vergessen jener primitiven Metapherwelt, nur durch das Hart- und Starr-Werden einer ursprünglich in hitziger Flüssigkeit aus dem Urvermögen menschlicher Phantasie hervorströmenden Bilder- und Sinnmasse, nur durch den unbesiegbaren Glauben, diese Sonne, dieses Fenster, dieser Tisch sei eine Wahrheit an sich, kurz nur dadurch, dass der Mensch sich als Subjekt und zwar als künstlerisch schaffendes Subjekt vergisst, lebt er mit einiger Ruhe, Sicherheit und Consequenz; wenn er einen Augenblick nur aus den Gefängniswänden dieses Glaubens heraus könnte, so wäre es sofort mit seinem ‘Selbstbewusstsein’ vorbei. (*WL* 1, KSA 1.884)

What Nietzsche objects to is the perceived *certainty* of truth as the primary criterion upon which to judge the value of a concept or statement. He is protesting against the careless habit of valuing purely against representational criteria. In his view, the moment the certainty of truth becomes the only criterion for judging value, we have slipped into the domain of morality or, more accurately, *moralism*. Ultimately, the quality of anything can only be judged according to aesthetic criteria. This does not mean, however, that all knowledge is tantamount to the illusions of fantasy, but rather that the real manipulation of appearances has been performed by science, morality and religion, the great guardians of the ‘truth’. This, ironically, makes art the only truly *moral* activity, since only art, by virtue of being frank about its metaphorical status, is ‘true’. Art has the decency to treat appearance *as* appearance, therefore it does not deceive; it is as close to truth as we can ever come.

The metaphysics that Nietzsche proposes is a metaphysics stripped of its claim to be able to detect absolute truth, a metaphysics that celebrates its aesthetic status and its roots in language. The real function of metaphysics is to *manage* the world, not to reveal or explain it. ‘Eine artistische Weltbetrachtung eine antimetaphysische – ja, aber eine artistische’ (Aphorism 11067 *NL* 85-87, *KSA* 12.160).

Nietzsche readily admits that metaphysics has a certain legitimacy as a stabilizing factor. In his view, truth is valuable as social necessity. Truth becomes indispensable as human beings form communities. The harmony of these communities requires ‘truths’ as universally valid and binding designations. Thus if truth is an evil, it is a necessary one, necessary for the individual’s functioning as social being:

Jene zahllosen Menschen, welche sich für ihre Ueberzeugungen opferten, meinten es für die unbedingte Wahrheit zu thun. Sie alle hatten Unrecht darin: wahrscheinlich hat noch nie ein Mensch sich für die Wahrheit geopfert; mindestens wird der dogmatische Ausdruck seines Glaubens unwissenschaftlich oder halbwissenschaftlich gewesen sein. Aber eigentlich wollte man Recht behalten, weil man meinte, Recht haben zu müssen. Seinen Glauben sich entreissen lassen, das bedeutete vielleicht seine ewige Seligkeit in Frage stellen. (*MA* 630, *KSA* 2.356)

In order to maintain itself, communal life must be rendered calculable and regulated. This means that members of a community have to be able to relate to one another in non-arbitrary ways, and communicate according to more or less fixed categories of meaning.

Es genügt noch nicht, um sich einander zu verstehen, dass man die selben Worte gebraucht: man muss die selben Worte auch für die selbe Gattung innerer Erlebnisse gebrauchen, man muss zuletzt seine Erfahrung mit einander *gemein* haben. Deshalb verstehen sich die Menschen Eines Volkes besser unter einander, als Zugehörige verschiedener Völker, selbst wenn sie sich der gleichen Sprache bedienen; oder vielmehr, wenn Menschen lange unter ähnlichen Bedingungen (des Klima's, des Bodens, der Gefahr, der Bedürfnisse, der Arbeit) zusammen gelebt haben, so *entsteht* daraus Etwas, das 'sich versteht', ein Volk. In allen Seelen hat eine gleiche Anzahl oft wiederkehrender Erlebnisse die Oberhand gewonnen über seltner kommende: auf sie hin versteht man sich, schnell und immer schneller – die Geschichte der Sprache ist die Geschichte eines Abkürzungs-Prozesses –; auf dies schnelle Verstehen hin verbindet man sich, enger und immer enger. Je grösser die Gefährlichkeit, um so grösser ist das Bedürfniss, schnell und leicht über Das, was noth thut, übereinzukommen; sich in der Gefahr nicht misszuverstehn, das ist es, was die Menschen zum Verkehre schlechterdings nicht entbehren können (*JGB* 268, *KSA* 5.221).

No construction, however, remains potent forever. As we have seen in the introduction, Nietzsche holds the unconditional faith in calcified moral categories such as good and evil responsible for the emergence of modern nihilism. These categories enclose the human experience of the world in a conceptual web of one-dimensional thinking that has finally lost its power to justify the world and human experience. The necessary stabilization of metaphor comes at the price of creativity: metaphor can become so frozen or calcified as to restrict any further sense of legislative movement, just as we shall see later, antiquarian history paralyzes the man of action by making veneration of the past its sole and absolute aim.

Sarah Kofman describes Nietzsche's use of metaphor as a strategy that reinforces his affirmation of becoming. Accordingly, Nietzsche, conscious of the inherent danger in language of restricting the fluidity and mobility of sense, refrains from an enduring commitment to any one metaphor to describe the process of metaphoric 'settling'. Kofman examines a series of architectural metaphors (*Bildungsmetapheren*) to highlight various aspects of the process of solidification and the various epistemological edifices that a particular culture erects. Using figures such as the pyramid, the beehive, the Roman columbarium and eventually the spider's web, Nietzsche engages in a genealogical study of the various models of knowledge that human beings have created for themselves. Nietzsche's aim is not, as might be supposed, simply to destroy these edifices, but to decipher the good or bad taste of the constructors in order to diagnose an underlying malady or healthy condition.

The first in the series is the pyramid. Like a pyramid, conceptual language is constructed according to a rigid schema that makes it possible to demarcate experiences in a consistent way. This means that the use of language can be regulated in order to govern relations between groups of language-users. The pyramid is for Kofman ‘the metaphor of the intelligible world of essences’ organized in geometrical fashion, and ‘functioning as models and norms’.<sup>118</sup> What makes the pyramid even more compelling a metaphor, is its association with death: the mummified dead are harbored within their walls. Concepts, as we have seen, are the tombs of petrified metaphors. But Nietzsche requires a description of the process of forgetting metaphor that stretches further than the first stage of their death, and at this point he draws upon the Roman columbarium. In contrast to the pyramid which still houses the body in more or less distinct form, the columbarium merely houses ashes of the dead. These burnt-out remains of metaphor have been stripped of all the uniqueness that they knew in life and are mere residue: Ashes represent the total effacement of effigy, the volatilization of any singularity. To conserve ashes is to reduce singularity absolutely. It is the ultimate equalizer, ‘the ultimate *injustice*’<sup>119</sup> (my emphasis).

As I have mentioned before, and as will become clearer later in the chapter, for Nietzsche, injustice reigns wherever decadence, impotence and a weak will is present. In this case, all the signs of the original legislation have worn away, the metaphor in question has become *banal*, and has limited life-enhancing capacity. In addition to this, no concept is ever neutral. Under genealogical investigation the metaphysical assumption of correspondence between word and thing is rendered suspect. The repressed or forgotten history of the metaphor emerges to challenge the dominant conception of language as correspondence or representation. Taking the theme further, he draws upon the *templum*, the mathematically defined space in the heavens that circumscribes the space of a specific god (which has been the inspiration for many astronomical names). This is not a physical, but a mathematical construction, an interpretation that desires to impart order by superimposing lines, restrictions and boundaries upon that which did not possess these qualities originally. In this *Würfelspiel der Begriffe* (WL 1) the stability of the edifice endures only as long as the practitioners abide by its rules. And the fates of these practitioners are interred

---

<sup>118</sup> Kofman, S. *Looking after Nietzsche*. Translated by L. A. Rickels. Albany: State University of New York Press, 1990, p.95.

<sup>119</sup> Kofman, S. *Nietzsche and Metaphor*. Translated by Duncan Large. London: Athlone Press, 1993, p. 96.



by their creations. Metaphysics tend to teach the belief in separate conceptual entities which are identical to themselves and clearly distinguishable from each other. As the ancient Roman mathematical divisions were designed to house the deities of their time, so the conceptual divisions worshipped today as a result of metaphysical obsession accommodate its own moribund idols: truth, knowledge, identity, justice. Genealogy exposes the ephemeral foundations of these supposedly stable concepts. Like spiders we have spun a web of language for ourselves through scientific, philosophical and theological system building, a web which in the age of nihilism threatens to disintegrate. According to Kofman, the spider's web is the most frequent metaphor in the Nietzschean *oeuvre* to designate system building and the problems generated by a desire for systems. The spider is a kind of vampire that lives of the blood of those it succeeds luring into its web. The concepts created by the spider merely operate as *simulacra* of life, the spider's proud apprehension of 'objective knowledge' being merely the recognition of a web of concepts it has spun itself.<sup>120</sup>

While the architectural metaphors largely remain behind in Nietzsche's early work on language, the spider continue to crop up again and again as a metaphor of the activities of philosophy, theology and science. Surely the most famous of these references is the reference in *Also Sprach Zarathustra* to the trinity as a black triangle on a spider's back, and the slavish priest's revenge as poison.

Da kommt sie willig: willkommen, Tarantel! Schwarz sitzt auf deinem Rücken dein Dreieck und Wahrzeichen; und ich weiss auch, was in deiner Seele sitzt.

Rache sitzt in deiner Seele: wohin du beissest, da wächst schwarzer Schorf; mit Rache macht dein Gift die Seele drehend! (Z II, KSA 4.128).

In *Der Antichrist* the image appears again in a reference to Kant as a 'fatal spider' (A 11), and in the form of word-play, linking Spinoza (*die Spinne*) with metaphysical construction. The target of Nietzsche's critique is the inhibiting consequences that follow from the arachnoid's dogmatic postulation of its constructions as adequately corresponding to the infinite complexity of the world. The ultimate spider, and the ultimate defunct metaphor is of course the God of traditional theology. According to Kofman, 'if God is the architect of the world, he is only so as divine spider'.<sup>121</sup>

<sup>120</sup> Kofman, S. *Looking after Nietzsche*. Translated by L. A. Rickels. Albany: State University of New York Press, 1990, p. 98.

<sup>121</sup> Kofman, S. *ibid*, p. 99.

Selbst die Blassesten der Blassen wurden noch über ihn Herr, die Herrn Metaphysiker, die Begriffs-Albinos. Diese spannen so lange um ihn herum, bis er, hypnotisirt durch ihre Bewegungen, selbst Spinne, selbst Metaphysicus wurde. Nunmehr spann er wieder die Welt aus sich heraus – *sub specie Spinozae* –, nunmehr transfigurirte er sich ins immer Dünnerere und Blässere, ward ‘Ideal’, ward ‘reiner Geist’, ward ‘absolutum’, ward ‘Ding an sich’... *Verfall eines Gottes*: Gott ward ‘Ding an sich’... (*AC* 17, *KSA* 6. 184).

Nietzsche’s series of metaphor is guided by his desire to make explicit the nihilistic will that turned Western thinking away from the sensuous world of becoming into anaemic, abstract formulations and essences. His genealogy reveals the creation of the well-ordered ‘ideal world’ to be an almost perverse *parody* of the process of affirmation, a denigration of the world of becoming that preceded these hallowed concepts. This metaphysical finery, however, could not maintain itself indefinitely: at last, during the nineteenth century – Nietzsche might trace the first signs as true nihilism much earlier – nihilism caught up with metaphysics. The siren-song of life would finally pierce the deaf ears of the old philosophers (*FW* 372).

It should now be clear that for Nietzsche, lawgiving is a constant process. Artistic legislation is an act fit only for a rope-dancer. There are two kinds of nihilism against which the artist-lawmaker must guard. On the one hand, there is the ever-present threat of measureless and excess, when the world threatens to overcome the self. On the other hand, there is the tendency of man’s own creations to fossilize and become useless, even prevent all further attempts to truly *create*. Lawgiving is thus an agon between calcification and excess, or a battle between the world and man who struggles to impose order upon it. Not only does the world always resist, but man’s own constructions reveal the capacity to become his greatest prison. Despite the fact that man ceased to express this basic fact of the human condition in terms of tragedy, the tragic dimension to human life is as present as it always was.

Der Grad von Widerstand und der Grad von Übermacht – darum handelt es sich bei allem Geschehen: wenn wir, zu unserem Hausgebrauch der Berechnung, das in Formeln von ‘Gesetzen’ auszudrücken wissen, um so besser für uns! (Aphorism 12232, *NL* 87-88, *KSA* 13.257).

It is important to bear in mind that the linguistic genealogy hitherto discussed is but the first step of his genealogical analysis. For Nietzsche, the important question

remains the one concerning the kind of life that gives rise to metaphysical constructs that clearly bespeaks fear. There can be no question of justice in a value system intended to barricade a fragile subject *against* the world: justice is a thing of the world, and a virtue that belongs to those that dare to interpret it well. Nietzsche's genealogy is intent upon exploring the relations and drives that condition certain modes of evaluation. As Nietzsche reminds his readers: 'das moralische Werthschätzen ist eine Auslegung, eine Art zu interpretieren. Die Auslegung selbst ist ein Symptom bestimmter physiologischer Zustände, ebenso eines bestimmten geistigen Niveaus von herrschenden Urtheilen. Wer legt aus? – Unsere Affekte' (Aphorism 11070, *NL85-86*, KSA 12.160). How one evaluates is as important as the need to interpret itself. Metaphysical evaluation, the obsession with unity and identity, emerges as a symptom of a life in need of external principles to justify its existence. This has had a distinct effect on how post-Christian man came to define justice, or in Nietzschean terms, came to corrupt<sup>122</sup> it.

## 2. The Use and Abuse of Genealogy for Life

What has hitherto passed for justice is but the triumph of a certain perspective. As we have seen, there is nothing but perspectives, appearances, and interpretations. There is nothing beyond the multiplicity of perspectives, bodily forces and other positions. Every concept, every framework is in itself a multiplicity of competing and conflicting forces, which through the domination of one came to *be* a perspective or position, the winner among a number of competing perspectives vying for ascendancy. In a nutshell, genealogy studies how the dominant perspective attained its status.

Contrary to Plato's method, which consists in gathering sensuous diversity into unities or essences, Nietzsche's method aims at unmasking, or unearthing, but in an indefinite way. He has no intention to lift the final veil to reveal any originary identity or primary foundation. He thus exhibits a distinct hostility to any form of systematization. Genealogy allows for many different kinds of interpretation, and it

---

<sup>122</sup> It must be mentioned, even at this stage, that Nietzsche does not simply dismiss or reject Christian morality. He is seldom as crude as to dismiss any cultural phenomenon in total. In many cases, when speaking of Christianity, he readily admits that Christianity did not *destroy* the greatest creations of antiquity, but made it its own, albeit in an inferior form. Nietzsche is trying to recover its more vivacious versions.

neither discovers nor imposes a ready-made reality, because it is dependent on the indeterminate picture of the world provided by the will to power. Nietzsche sees the sum of elements that make up a genealogy as a vast sum of interrelated objects. Each of those is of course already the product of an earlier grouping or interpretation, and each group is affected by all the others. Genealogy concerns itself with the paths that connect these groupings. Every path reveals an earlier interpretation with its own particular purposes and prejudices, in other words, its own will to power.

If genealogy has to be ‘gray, meticulous and patiently documentary’ as Foucault holds it to be, Nietzsche’s genealogy is anything but. For it is far from being the grey and meticulous gathering of a vast amount of source material and patient attention to detail. Nietzsche’s reduction of the multifarious moral past of mankind to two competing moralities suggests speculative thought painted in black and white, rather than careful documentation. The aim of Nietzsche’s genealogy is not exact historical explanation or uncovering ‘correct’ facts, but a richer understanding of human excellence, and the significance of morality itself. Important for our purpose, his genealogy traces the history of the debasement of justice. Like other domains of life, justice became subject to the moral domain, and when virtue becomes morality, it loses its ennobling aesthetic dimension. It becomes something *less*, something weaker and baser.

Like Hegel, Nietzsche tends to use words such as ‘unbefriedigt’ to refer to the failure of modern culture to truly ‘satisfy’. He gives new meaning to Schiller’s famous declaration that ‘modernity inflicted this wound upon modern humanity’. As a philosophical physician, he makes the diagnosis that there is ‘a general decrease in vitality’. This weakened condition is manifest in contemporary ideas of equality and altruism, which are merely secularized versions of decadent Christian values. ‘Hence each helps the other, and; hence everyone is a nurse for the sick’. Furthermore, Nietzsche is emphatic about modern culture not being a ‘real’ culture, but a ‘bogus culture’. Like Hegel, Nietzsche detects a division in self-identity in modern culture that results in this ‘disease’, but unlike Hegel, he shows no hope that this division will ‘cure’ itself through dialectical improvement. Instead, Nietzsche’s genealogy is an attempt to show that things can, and should, be *different*. His genealogy shows that man’s development into modernity is far from (as the genre of the *Bildungsroman* would have it), a growth into maturity, richness and self-discipline. It is not a tragedy either, for as we have seen in chapter one, Oedipus, Antigone, Prometheus and Lear

retained their dignity, and could even be said to accept the fundamental *injustice* that forms part of the workings of the cosmos. Instead, one could argue, Nietzsche's genealogy reveals man as fallen from grace, from an ennobling tragic world into the weak, decadent world of the modern subject, with its misbegotten illusions of 'objectivity'.

As a deconstructivist *avant la lettre*, Nietzsche is under no delusion as from whence the law really hails. Law is always an economy of violence in which some voices are heard and iterated, accepted as 'a rule, a norm or a universal imperative', and others are effaced. According to Derrida, the law depends on who produces it, founds it, or authorizes it. In other words, it is a discursive, and therefore inescapably egoistic, performative act. This act can never approach full justice due to the violent paradox inherent in the discursive face-to-face relationship, for all law, like any discursive positioning, is dependent on a 'positing', and no such positing can happen without violence. Other than deconstruction, which often claims to *be* law, genealogy is under no delusions as to its real function. Genealogy is first and foremost a tool, and no tool operates neutrally. Genealogy does not simply exist to be pushed into service of some neglected or repressed 'Other'. Nietzsche's genealogy in particular, as opposed to Foucault's genealogies and archaeologies, often shows what *should* remain silent or unearthed. This applies especially to whatever can be called mean-spirited or slavish. Genealogy is thus also, among its other functions, a tool of disciplining and silencing, or even chastising.

The role of genealogy as critical instrument is not as obvious as it may seem. Daniel Conway and Richard Schacht, for example, downplay its potential for critique, preferring to read Nietzsche's genealogical method merely as a diagnostic tool to be put aside once the task of the revaluation of values is attempted. Richard Schacht in particular distinguishes three methodological stages in Nietzsche's revaluation: a genealogy of values, a critique of values, and the overcoming of values. For him, genealogy is an historical and psychological method that simply investigates and describes the origins of Western values. He claims that 'the revaluation of values only begins, and does not end, with inquiry into their genealogy'.<sup>123</sup> On the basis of genealogical evidence of historical origins and development of Western values, the very same values are to be critiqued according to two steps. Genealogy reveals the

---

<sup>123</sup> Schacht, R. *Nietzsche*. London: Routledge, 1983, p. 94.

presuppositions upon which values are based, and the critique of values calls into question the tenability of those presuppositions. Nietzsche is said to invoke the value of values for life as a critique of all other values. Then, according to Schacht, Nietzsche's revaluation concludes by the overcoming of these values. In other words, Nietzsche's genealogy is not in itself critical, but provides material for a further critique. It would appear at first that Nietzsche agrees with him:

Die Frage nach der Herkunft unserer Werthschätzungen und Gütertafeln fällt ganz und gar nicht mit deren Kritik zusammen, wie so oft geglaubt wird: so gewiß auch die Einsicht in irgend eine *prudenda origo* für das Gefühl eine Werthverminderung der so entstandenen Sache mit sich bringt und gegen dieselbe eine kritische Stimmung und Haltung vorbereitet (Aphorism 11070, *NL85-86*, KSA 12.160).

This is however a single remark from the *Nachlass*, not sufficient to justify such a distinction. Furthermore, if we return to Nietzsche's most direct statement on his perspectivism in the *Genealogie*, 'Es giebt *nur* ein perspektivisches Sehen, *nur* ein perspektivisches "Erkennen"' (*GM III*, 12), it becomes clear that Schacht's position is untenable. He identifies standards of critique reliant on genealogy and makes their epistemic status clear, but fails to relate this to Nietzsche's perspectivism. Schacht seems to claim that the tenability of presuppositions about human nature and the life-enhancement of values are objectively valid standards of critique.<sup>124</sup> The very notion of objectively valid standards, independent of the specific content of those standards, is at odds with the fluidity of genealogy, and the interpretative nature of Nietzschean epistemology in general. This means that there is an undeniable legislative dimension to the process of genealogy as such. Nietzsche's genealogy is unabashedly evaluative. His genealogy explores the relation of drives that makes certain modes of evaluation possible, especially the antithetical modes of evaluation typical of modernity. And this happens *all* the time. It is not necessary to divide Nietzsche's genealogy into an analytical stage and an evaluative stage. The moment one practises genealogy, one is involved in judging and selecting. Not only Dionysos is a judge, everyone is.

Was bedeutet das Werthschätzen selbst? weist es auf eine andere metaphysische Welt zurück oder hinab? Wie noch Kant glaubte (der vor der großen historischen Bewegung steht). Kurz: wo ist es 'entstanden'? Oder ist

---

<sup>124</sup> Schacht, R. *ibid* p. 95.

es nicht ‘entstanden’? Antwort: *das moralische Werthschätzen ist eine Auslegung, eine Art zu interpretieren*. Die Auslegung selbst ist ein Symptom bestimmter physiologischer Zustände, ebenso eines bestimmten geistigen Niveaus von herrschenden Urtheilen. Wer legt aus? – Unsere Affekte (Aphorism 11071, *NL* 85-87, *KSA* 12.161).

Revelations like these, i.e. the utter impossibility of ever attaining a position of God-like (sic) neutrality, make genealogy a dangerous enterprise: if any human construction is examined for too long and too carefully, it is bound to be found wanting in some respect. Nietzsche’s genealogical exposition of the origins of morality reveals that, contrary to generally held belief, all moral systems hitherto adhered to in the West have been rooted in an immoralism far greater than any such systems sought to prevent. Nietzsche’s ‘campaign against morality’ is, however, much more than an amusing exposition of moral hypocrisy in the vein of Cicero’s *O tempora! O mores!* He effectively demonstrates that immorality cannot be condemned because it is unavoidable. We are doomed to be immoral:

In keinem Punkte ist aber das gemeine Bewusstsein der Europäer widerwilliger gegen Belehrung, als hier; man schwärmt jetzt überall, unter wissenschaftlichen Verkleidungen sogar, von kommenden Zuständen der Gesellschaft, denen ‘der ausbeuterische Charakter’ abgehn soll: – das klingt in meinen Ohren, als ob man ein Leben zu erfinden verspräche, welches sich aller organischen Funktionen enthielte. Die ‘Ausbeutung’ gehört nicht einer verderbten oder unvollkommenen und primitiven Gesellschaft an: sie gehört in's Wesen des Lebendigen, als organische Grundfunktion, sie ist eine Folge des eigentlichen Willens zur Macht, der eben der Wille des Lebens ist. – Gesetzt, dies ist als Theorie eine Neuerung, – als Realität ist es das Ur-Faktum aller Geschichte: man sei doch so weit gegen sich ehrlich! (*JGB* 259, *KSA* 5.208).

The most uncomfoting of all Nietzsche’s untimely insights finally becomes explicit in the *Genealogie*: every attempt to institute justice co-establishes the possibility of injustice. As unavoidable as the devil in the Renaissance theological maxim ‘where Christ erecteth his church, the devil in the same churchyard will have his chapel,’<sup>125</sup> is the economy of violence that accompanies the development of man from his primitive pre-historical roots to the modern subject caught in the web of legalism. According to Derek Hillard, ‘exchange is at the heart of Nietzsche’s concept

---

<sup>125</sup> Attributed to Richard Bancroft (1544-1610).

of historical transition'.<sup>126</sup> He shows that Nietzsche employs a concept of economy that operates by way of interaction between a 'formal' principle that provides an interpretive framework for meaningful content, and an 'indeterminate element of domination through which a current interpretation replaces one currently in operation – a Nietzschean paradigm shift'. The important point, however, is that it is the 'more or less immutable structural precondition for all forms of discourse'.<sup>127</sup> Human society and history in all its diversity emerge from being situated in various economies of power. The significance of Hillard's observation is not limited to history however: justice cannot be thought without reference to economy. In what follows the focus will be on the importance of Nietzsche's notion of economy for his development of temporality in general, not just history. The pattern of this development is exemplified by Nietzsche's account of prehistory. Nietzsche's speculative version of prehistory is one in which a primordial economy of violence sows the seeds for humanity's future. Violence is consequently a crucial element of Nietzsche's conception of economy and, as we have seen in chapter one, an important key to understanding the origins of justice.

### **3. To pay the debt I promised.**

So, when this loose behaviour I throw off  
And pay the debt I never promised,  
How much better than my word I am.  
*Henry IV* Part I, Act I Scene III

Before any questions on masters and slaves, ascetic priests or importantly for our purpose, the development of the legal subjects can be asked, we need to address a far more obvious question, that of the human being itself. In order to answer this question, we need to abandon the neat chronology of the *Genealogie* and turn first to the second essay. Nietzsche begins his essay on the making of the human by asking the age-old question loved by philosophers since Aristotle: What distinguishes humans from other animals? For Christianity and other ideologies of eternity it is the immortal 'soul', an entity that Nietzsche believes has not died with God, but has been saved in the nick of time by being successfully secularized, legalized and moralized as

---

<sup>126</sup> Hillard, D. History as Dual Process. Nietzsche on Exchange and Power. In: *Nietzsche Studien* 31 (2002), pp 40-56.

<sup>127</sup> Hillard, *ibid*, p. 44.



the free-willed subject. An essential component to the network that produced the secularization and legalization of the Christian soul is the ability to grasp temporality. It is not their share in eternal life or eternal principles that distinguishes men from animals, but the particularly human awareness of the passing of time. For Nietzsche the proper analysis of morality requires that it be articulated within a temporal framework of past and current costs and future benefits. The value of any kind of good concerns its effect on human futurity. And futurity is not simply given to humanity. Futurity does not simply flow from an objective temporal order. It must be *earned*, or conquered; it does not precede humanity. Its attainment is linked in crucial ways to the development of human nature ‘before history’, before the ancient conflict between masters and slaves delineated in the First Essay. This is why this problem constitutes for Nietzsche the ‘real’ problem of humanity (*GM II 1*). It is the famous problem of how human beings ended up being able to make promises.

Ein Thier heranzüchten, das versprechen darf – ist das nicht gerade jene paradoxe Aufgabe selbst, welche sich die Natur in Hinsicht auf den Menschen gestellt hat? ist es nicht das eigentliche Problem vom Menschen? (*GM II 1*, KSA 5.291).

An animal with the right to make promises, with a memory filled with debts and obligations appears to be an anomaly, something *para physin*, as Aristotle might have said (though he was speaking of nature’s tendency to produce monsters, something beyond or in excess of nature). Nietzsche locates the primordial or mythical origins of culture in this ability to keep one’s word, to propel into the future an avowal made in the past or present. This ability is an achievement, the result of considerable long-term pre-historic investment. Pre-historic in this context refers to the period of ‘die eigentliche Arbeit des Menschen an sich selber in der längsten Zeitdauer des Menschengeschlechts, seine ganze *vorhistorische Arbeit*’ (*GM II 1*, KSA 5.293). Even prior to history, man already stands in an economic relationship, that of laborer. Work stands at the point of emergence of the human race, and humanity’s first task consisted of the production of the human being itself. What this labor involves is equally important. First of all, we are dealing here with the reconfiguration of a particular kind of *animal*, and forgetfulness is the default setting of animal existence. Nietzsche has already raised the issue in the famous opening of his second *Unzeitgemässe Betrachtung*:

Der Mensch fragt wohl einmal das Thier: warum redest du mir nicht von deinem Glücke und siehst mich nur an? Das Thier will auch antworten und sagen, das kommt daher dass ich immer gleich vergesse, was ich sagen wollte – da vergass es aber auch schon diese Antwort und schwieg: so dass der Mensch sich darob verwunderte (*UB II 1, KSA 1. 248*).

For a long time forgetfulness has wrongly been regarded as mere inactivity or mental passivity. However, it is much more – a positive forming force and a power of inhibition or repression (*positives Hemmungsvermögen*) which is responsible for the fact that what is experienced and absorbed enters consciousness (*Bewusstsein*) to such a small extent while we are digesting it. Nietzsche suggests that we call this a process of ‘inpsychiation’ (*Einverseelung*). Forgetting is not simply a matter of wish repression as Freud supposed, it is the inhibition of consciousness, its arrested development. Forgetting consists, as the cow-observer will testify, in the immediate consummation of pleasure and the instantaneous gratification of desire. In this respect, forgetting resembles Freud’s pleasure principle. Forgetting is what happens when bodily drives discharge themselves freely, directly and without delay in response to excitations received from the outside. This is why the forgetting animal poses a real paradox. Equal to the puzzle of language – how can beings without language come to feel the *need* for language? – is the paradox of memory. If one poses the question in the form of eighteenth century contract theory (what is the origin of the social contract?) one is automatically caught in the traps that liberal political theory tries to escape. This escape artistry usually takes the form of tricks like Hobbes’ hypothetical stakeholders giving up their rights at exactly the same time as to allow for the new authority to come into being, even though there was no prior authority to orchestrate the event, or Rawls’s famous veil of ignorance. To apply a similar question of origin to our problem under discussion: How does the forgetful animal remember to remember? As Nietzsche puts it: ‘Wie macht man dem Menschen-Thiere ein Gedächtniss? Wie prägt man diesem theils stumpfen, theils faseligen Augenblicks-Verstande, dieser leibhaften Vergesslichkeit Etwas so ein, dass es gegenwärtig bleibt?’ (*GM II 3*).

Nietzsche’s uncomfoting answer is that pain is the key element in instituting memory. Civilization instills its basic requirements through a mnemonics of pain.

Memory is carved out of the suffering of the body. The body is not just the host of memory, it is essential to its formation.

Wie macht man dem Menschen-Thiere ein Gedächtniss? Wie prägt man diesem theils stumpfen, theils faseligen Augenblicks-Verstande, dieser leibhaften Vergesslichkeit Etwas so ein, dass es gegenwärtig bleibt? Dies uralte Problem ist, wie man denken kann, nicht gerade mit zarten Antworten und Mitteln gelöst worden; vielleicht ist sogar nichts furchtbarer und unheimlicher an der ganzen Vorgeschichte des Menschen, als seine *Mnemotechnik*.

‘Man brennt Etwas ein, damit es im Gedächtniss bleibt: nur was nicht aufhört, *weh zu thun*, bleibt im Gedächtniss’ – das ist ein Hauptsatz aus der allerältesten (leider auch allerlängsten) Psychologie auf Erden. Man möchte selbst sagen, dass es überall, wo es jetzt noch auf Erden Feierlichkeit, Ernst, Geheimniss, düstere Farben im Leben von Mensch und Volk giebt, Etwas von der Schrecklichkeit nachwirkt, mit der ehemals überall auf Erden versprochen, verpfändet, gelobt worden ist: die Vergangenheit, die längste tiefste härteste Vergangenheit, haucht uns an und quillt in uns herauf, wenn wir ‘ernst’ werden. Es gieng niemals ohne Blut, Martern, Opfer ab, wenn der Mensch es nöthig hielt, sich ein Gedächtniss zu machen; die schauerlichsten Opfer und Pfänder (wohin die Erstlingsopfer gehören), die widerlichsten Verstümmelungen (zum Beispiel die Castrationen), die grausamsten Ritualformen aller religiösen Culte (und alle Religionen sind auf dem untersten Grunde Systeme von Grausamkeiten) – alles Das hat in jenem Instinkte seinen Ursprung, welcher im Schmerz das mächtigste Hilfsmittel der Mnemonik errieth (*GM II 3*, KSA 5.295).

According to Nietzsche, the degree of pain inflicted is an index of the poverty of memory. The worse the memory is, the worse the pain inflicted.

[E]in Paar Ideen sollen unauslöschlich, allgegenwärtig, unvergessbar, ‘*fixe*’ gemacht werden, zum Zweck der Hypnotisirung des ganzen nervösen und intellektuellen Systems durch diese ‘fixen Ideen’ – und die asketischen Prozeduren und Lebensformen sind Mittel dazu, um jene Ideen aus der Concurrenz mit allen übrigen Ideen zu lösen, um sie ‘unvergesslich’ zu machen. Je schlechter die Menschheit ‘bei Gedächtniss’ war, um so furchtbarer ist immer der Aspekt ihrer Bräuche; die Härte der Strafgesetze giebt in Sonderheit einen Maassstab dafür ab, wie viel Mühe sie hatte, gegen die Vergesslichkeit zum Sieg zu kommen und ein paar primitive Erfordernisse des socialen Zusammenlebens diesen Augenblicks-Sklaven des Affekts und der Begierde *gegenwärtig* zu erhalten (*GM II 3*, KSA 5.295).

Unrelenting suffering and pain were among the tools used to create in the individual member of a community (the first debtor) the memory required to suppress actions regarded as injurious to the communal body (the first creditor). Like all the values

created within it, society itself had its birth in an economy of violence. Members of the first communities, as they do in contemporary societies, learned to observe imperatives based on costs and benefits. The benefit is obviously security, the cost the possibility of merciless violence being turned upon the individual who is perceived as a threat to their security. Nietzsche holds this violence to be justifiable, for out of this autochthonous violence comes the possibility for human futurity. The ability to make promises implies nothing less than having control over the future.

Wie muss der Mensch, um dermaassen über die Zukunft voraus zu verfügen, erst gelernt haben, das nothwendige vom zufälligen Geschehen scheiden, causal denken, das Ferne wie gegenwärtig sehn und vorwegnehmen, was Zweck ist, was Mittel dazu ist, mit Sicherheit ansetzen, überhaupt rechnen, berechnen können, – wie muss dazu der Mensch selbst vorerst berechenbar, regelmässig, nothwendig geworden sein, auch sich selbst für seine eigne Vorstellung, um endlich dergestalt, wie es ein Versprechender thut, für sich als Zukunft gut sagen zu können! (*GM II 1, KSA 5.292*)

As the only animal in which an opposing faculty, an anti-forgetting capacity namely memory has been bred, in whom forgetfulness is checked in those cases where promises are made, the human is the only living animal who has had to make himself into a calculable being, regular and necessary, in order to stand security for his own future. This was the ultimate act of lawmaking: the act of lawmaking that enacted the possibility of legal subjectivity itself. Consciousness of pledges and pain and promises makes thinking itself possible: it is this which allows the human to compute goals and the means to them, to think causally, to distinguish between chance and necessity, to forgo the immediate discharge of bodily drives, or to satisfy them through other means such as the liquidation of debts. Rather like Freud, for Nietzsche civilization begins with the inauguration of a reality principle imposing checks and balances and delays upon the expenditure of drives. It is not even possible to think of the ego or the self, and by implication of the forthcoming legal subject, without reference to economics. Selves initially encountered one another based upon a relationship of calculation:

Das Gefühl der Schuld, der persönlichen Verpflichtung, um den Gang unsrer Untersuchung wieder aufzunehmen, hat, wie wir sahen, seinen Ursprung in dem ältesten und ursprünglichsten Personen-Verhältniss, das es giebt, gehabt, in dem Verhältniss zwischen Käufer und Verkäufer, Gläubiger und

Schuldner: hier trat zuerst Person gegen Person, hier mass sich zuerst Person an Person (*GM II 8*, KSA 5.306).

Identities can only be created through relation to others; an individual can only discover who he is by assessing like and unlike cases, on judgments that spring from relationships of 'equivalence'. The primitive belief that damage suffered has its equivalent in the form of some kind of penalty is essential to the concept of personhood, because without a 'you' there can be no 'I'. As Zarathustra states 'Das Du ist älter als das Ich; das Du ist heilig gesprochen, aber noch nicht das Ich: so drängt sich der Mensch hin zum Nächsten' (*Z I Von der Nächstenliebe KSA 4.77*). The 'I' exists only insofar it is related to a 'you'. The relation between self and other is thinkable only in terms of a social world where possessions are secured through economic practices of defining, measuring and comparing. The 'I' is thus defined through a web of economic practices rather than private thought: as the sum of its possessions (including its body), it is subject to the demands of the Other as creditor, or alternatively, stakes its claim over the Other as creditor. An 'I' thus exists to the degree to which an Other has power over it, or it over an Other – a power initially expressed in the creditor's right to make the debtor suffer. A particular ethic is revealed here: one believes one suffers *because* of a *responsibility* towards an individuated Other. This sense of responsibility is the basis of all social relationships. As Hillard puts it: 'exchange is culture'.<sup>128</sup>

If this is so, it comes as no surprise that contractual relationship between debtor and creditor is the oldest relationship known to man. As David Owen has noted, 'Nietzsche gives us here a contractual psychology of power'.<sup>129</sup> The possibility of owing someone created a need to install in the human mind some mechanism to allow for the debt to be repaid. This mechanism consists of two parts: first the remembering of the power relationship (the plain brute fact, 'I owe you') and then after some experience of paying debts out of fear of punishment, the feeling of guilt if the debt is forgotten or renege. It should not, however simply be supposed that 'debt' smoothly translates into 'guilt'. The key to understanding the entire Second Essay is the ambiguity of the word '*Schuld*'. It translates at once as 'debt', 'guilt,' and importantly, 'blame'. This word is associated with the Gothic word *skulan*, which

---

<sup>128</sup> Hillard, D. 'History as Dual Process. Nietzsche on Exchange and Power'. In: *Nietzsche Studien* 31, W. De Gruyter, 2002, p 44.

<sup>129</sup> Owen, D. *Nietzsche, Politics and Modernity*. London: Sage Publications, 1992.

means to ‘owe’ or ‘to be under obligation’, the modern English *should* and the Middle English *sculan*, which also includes a sense of futurity. The word ‘owe’ also originally referred to owning.<sup>130</sup>

To Nietzsche the philologist nothing simply goes without saying; every word is laden with nuance. This is why one of his most famous concepts, *schlechtes Gewissen* is often seriously misunderstood. He uses the phrase in the context of two distinct violent economies, namely the *economy of debt* – largely morality or custom which is a universal phenomenon in some or other form – and the *economy of guilt* – particular to Christian asceticism. What is often forgotten is that there is no master-slave relationship, no consciousness of guilt and no ascetic ideal prior to the triumph of the Christian consciousness. The Second Essay distinguishes between two economies of desire, and relates how the first, consciousness of debt, is transformed into the second, consciousness of guilt. Debt denotes an obligation which one may or may not be able to discharge or may or may not recognize. Guilt is engendered specifically by the failure to honor an obligation. In other words, not all debt engenders guilt. Furthermore, the guilt engendered at this stage, as Simon May<sup>131</sup> points out, is not yet *moral*. Guilt in its non-moral form is merely ethically experienced regret at one’s failure – intentional or not – to honor obligations, to which one feels genuine commitment. In its moral form, however, guilt becomes constitutive of the human condition in general. In its non-moral form, guilt can even be life-enhancing, such as when it serves as inspiration for action. Achilles, for example, experiences a primitive form of guilt at lending Patrocles his armor, the use of which led to his death. Because of Patrocles’ death, Achilles feels obliged to join the battle again with the hope of killing Hector. As we have seen, the non-moral form of guilt is simply part of the classic debtor-creditor framework. Curiously, the right of the creditor to demand in the place of literal compensation – money, land or possessions – compensation in the form of some or other pleasure (*Wohlgefühl*), e.g. the right to vent his power upon the powerless, can still be part of a non-moral framework. Mere pleasure in inflicting pain itself is of course not the end or *telos* of this process of exchange. While the pleasure will be all the greater the lower the rank of the creditor, because in the act of punishing he will be able to participate for once in the *Herren-Rechte* of the powerful, the true source of pleasure does not lie in making the debtor

---

<sup>130</sup> For example, ‘The Oxe knowes who *owes* him, and feedes him’ (Anonymous poet, 1628).

<sup>131</sup> May, S. *Nietzsche’s Ethics and his War on Morality*. Oxford: Clarendon Press, 1999, p. 57.

suffer, or in seeing him suffer. Rather, it is the release of built-up tension, and psychological pressure that is the true source of pleasure and a contributing element to health. The relationship of debtor-creditor exchange has become through and through symbolic, so much so that *Schuld* and *Leid* have become inseparable. This is why literal compensation for damage is insufficient. The result of this logic of compensation is nothing less than a *festival* in the Bahktinian sense where power structures are temporarily destabilized, hierarchies overturned and a general expenditure of affects happens.

Nochmals gefragt: in wiefern kann Leiden eine Ausgleichung von ‘Schulden’ sein? Insofern Leidenmachen im höchsten Grade wohl that, insofern der Geschädigte für den Nachtheil, hinzugerechnet die Unlust über den Nachtheil, einen ausserordentlichen Gegen-Genuss eintauschte: das Leiden-machen, – ein eigentliches Fest, Etwas, das, wie gesagt, um so höher im Preise stand, je mehr es dem Range und der gesellschaftlichen Stellung des Gläubigers widersprach. [...]

Leiden-sehn thut wohl, Leiden-machen noch wohler – das ist ein harter Satz, aber ein alter mächtiger menschlich-allzumenschlicher Hauptsatz, den übrigens vielleicht auch schon die Affen unterschreiben würden: denn man erzählt, dass sie im Ausdenken von bizarren Grausamkeiten den Menschen bereits reichlich ankündigen und gleichsam ‘vorspielen’. Ohne Grausamkeit kein Fest: so lehrt es die älteste, längste Geschichte des Menschen – und auch an der Strafe ist so viel Festliches! – (*GM II 6 KSA 5.300*).

Yet Nietzschean cruelty is not ‘bestial’ or merely sadistic; the Nietzschean ‘sadist’ is not a psychopath or by any means a ‘pathological’ creature. Cruelty is instead a form of release from pain, a way in which the human being copes with suffering.

*Die Moral des freiwilligen Leidens.* – Welcher Genuss ist für Menschen im Kriegszustande jener kleinen, stets gefährdeten Gemeinde, wo die strengste Sittlichkeit waltet, der höchste? Also für kraftvolle, rachsüchtige, feindselige, tückische, argwöhnische, zum Furchtbarsten bereite, und durch Entbehnung und Sittlichkeit gehärtete Seelen? Der Genuss der *Grausamkeit*: so wie es auch zur *Tugend* einer solchen Seele in diesen Zuständen gerechnet wird, in der Grausamkeit erfinderisch und unersättlich zu sein. An dem Thun des Grausamen erquickt sich die Gemeinde und wirft einmal die Düsterteit der beständigen Angst und Vorsicht von sich. Die Grausamkeit gehört zur ältesten Festfreude der Menschheit (*M 18, KSA 3.30*).

In this case, the infliction of pain is assigned a positive and productive power; it is a tool of lawmaking and therefore sets the creative drives free. For Nietzsche, suffering

is not merely an emotional experience, but conflicting plastic forces, the will to power, or life itself that goes through all individuals like a common current. Cruelty serves suffering like an artistic instrument which emancipates its forces into images and deeds, values, virtues and laws. It is man's most primitive instrument of interpretation, the most elemental *artistic* aid used to construct definite points of value and desire, e.g. social values. It is during the spectacle of cruelty that *measuring* happens, through watching the event of suffering, equivalences are contrived, values established, and man's future is determined.

Interestingly enough, Nietzsche adds two other sources of guilt in the pre-historic stage: the gods and the ancestors of a tribe. Against the prevailing liberal-secular notion that freedom derives from the 'loosening of ties', Nietzsche states that the power attributed to the creditor is a sign of the particular society's *strength*. In other words, to worship gods is a sign of strength, not weakness. It is however necessary to worship a god out of strength, preferably a *tragic* god, not the one thus far followed: 'Man soll das *Verhängniß* in Ehren halten: das Verhängniß, das zum Schwachen sagt: geh zu Grunde... Man hat es *Gott* genannt, daß man dem Verhängniß widerstrebte, – daß man die Menschheit verdarb und verfaulen machte... Man soll den Namen Gottes nicht unnützlich führen...' (Aphorism 12393, *NL* 87-89, *KSA* 13.412). Consider too, the genealogy of gods themselves, out of fear for the ancestor:

Man erkennt somit eine Schuld an, die dadurch noch beständig anwächst, dass diese Ahnen in ihrer Fortexistenz als mächtige Geister nicht aufhören, dem Geschlechte neue Vortheile und Vorschüsse seitens ihrer Kraft zu gewähren. Umsonst etwa? Aber es giebt kein 'Um sonst' für jene rohen und 'seelenarmen' Zeitalter. Was kann man ihnen zurückgeben? Opfer (anfänglich zur Nahrung, im gröblichsten Verstande), Feste, Kapellen, Ehrenbezeugungen, vor Allem Gehorsam – denn alle Bräuche sind, als Werke der Vorfahren, auch deren Satzungen und Befehle –: giebt man ihnen je genug? Dieser Verdacht bleibt übrig und wächst: von Zeit zu Zeit erzwingt er eine grosse Ablösung in Bausch und Bogen, irgend etwas Ungeheures von Gegenzahlung an den 'Gläubiger' (das berüchtigte Erstlingsopfer zum Beispiel, Blut, Menschenblut in jedem Falle). Die Furcht vor dem Ahnherrn und seiner Macht, das Bewusstsein von Schulden gegen ihn nimmt nach dieser Art von Logik nothwendig genau in dem Maasse zu, in dem die Macht des Geschlechts selbst zunimmt, in dem das Geschlecht selbst immer siegreicher, unabhängiger, geehrter, gefürchteter dasteht. Nicht etwa umgekehrt! (*GM* II 19, *KSA* 5.328).



To the latecomers of history there is undoubtedly something bizarre – *fremdartig* – about the juridical relationship in its most archaic stage. The economy of commerce, cruelty and pleasure accounts for Nietzsche’s classic formulation of the basic hermeneutics of suspicion which characterizes the hermeneutical method. On the subject of justice, as well as on the entire legal/moralistic world-order, we have Nietzsche’s stinging dictum:

In dieser Sphäre, im Obligationen-Rechte also, hat die moralische Begriffswelt ‘Schuld’, ‘Gewissen’, ‘Pflicht’, Heiligkeit der Pflicht ihren Entstehungsheerd, – ihr Anfang ist, wie der Anfang alles Grossen auf Erden, gründlich und lange mit Blut begossen worden. Und dürfte man nicht hinzufügen, dass jene Welt im Grunde einen gewissen Geruch von Blut und Folter niemals wieder ganz eingebüsst habe? (*GM I 6*, KSA 5.300).

Guilt, at the non-moral stage, involves an attempt to reverse the debt towards gods and ancestors. At this stage, there is still hope that the debt could be discharged, and above all, the debt in question is communal, not personal. Furthermore, communal debt often serves as a tool for community-building. Moral guilt arises when the debt is turned back against the debtor by making him think that his debt cannot be discharged or redeemed, and that he alone, in his personal capacity, is responsible for it. Only when this happens does the debtor begin to take revenge on his earthly life, and take his earthly existence as some kind of punishment. According to Nietzsche, guilt is not fully moralized until the debt is turned back upon the creditor too. This was Christianity’s stroke of genius, in which a debt-tortured humanity temporarily found relief:

jenem Geniestreich des Christenthums: Gott selbst sich für die Schuld des Menschen opfernd, Gott selbst sich an sich selbst bezahlt machend, Gott als der Einzige, der vom Menschen ablösen kann, was für den Menschen selbst unablösbar geworden ist – der Gläubiger sich für seinen Schuldner opfernd, aus Liebe (sollte man's glauben? –), aus Liebe zu seinem Schuldner! (*GM II 20*, KSA 5.330).

The death of the Christian God, however, leaves humanity exposed, and vulnerable to the trappings of its own legal-moralistic framework. This raises another problem: how is it possible, to recover justice at all if it had its roots in *commerce*, the defining activity of the ‘last man’? In *Morgenröte* Nietzsche asks:

Jetzt zwar will immer noch Der, welchem ein Schaden zugefügt ist, ganz abgesehen davon, wie dieser Schaden etwa gut zu machen ist, seine Rache haben und wendet sich ihrethalben an die Gerichte, – und diess hält einstweilen unsere abscheulichen Strafordnungen noch aufrecht, sammt ihrer Krämerwage und dem Aufwiegenwollen der Schuld durch die Strafe: aber dürften wir nicht hierüber hinaus kommen können? (M 202, KSA 3.177).

It should now be clear that the psycho-social origins of justice bleed over into its functions. That is, in the working out of the basic structure of exchange and recompense, individuals can gain certain pleasures, possessions or power from the social or legal network which is built up from the need to adjudicate certain crimes, claims and disputes. However, which individuals and for what reasons is of crucial importance for Nietzsche. The first function or appropriation of justice which we will address is one for which Nietzsche had nothing but the utmost contempt. It is the function of justice as manifestation of the will to power of the weak, to which Nietzsche will refer in almost conspiratorial terms. Moved by the *ressentiment*<sup>132</sup>, which is their fate, the weak will champion the ideal of justice, but only ultimately to act out their rage against their oppressors, or just anybody who does *not* happen to be weak. The most eloquent instance of Nietzsche's unmaking of weakness that tries to pass for justice occurs in *Zarathustra* II, 'Von den Taranteln':

Also rede ich zu euch im Gleichniss, die ihr die Seelen drehend macht, ihr Prediger der *Gleichheit*! Taranteln seid ihr mir und versteckte Rachsüchtige! Aber ich will eure Verstecke schon an's Licht bringen: darum lache ich euch in's Antlitz mein Gelächter der Höhe. Darum reisse ich an eurem Netze, dass eure Wuth euch aus eurer Lügen-Höhle locke, und eure Rache hervorspringe hinter eurem Wort 'Gerechtigkeit'.  
Denn *dass der Mensch erlöst werde von der Rache*: das ist mir die Brücke zur höchsten Hoffnung und ein Regenbogen nach langen Unwettern.  
Aber anders wollen es freilich die Taranteln. 'Das gerade heisse uns Gerechtigkeit, dass die Welt voll werde von den Unwettern unsrer Rache' – also reden sie mit einander. (Z II, KSA 4.128).

This famous passage may create the impression that Nietzsche is trying to move beyond justice, which is here closely related with revenge. This is however but one form of justice, one that Nietzsche clearly rejects as *false*. The word 'justice' easily lends itself as a mask for the resentful, and should therefore be used with great care,

---

<sup>132</sup> It is important to emphasize at this point that *weak* and *slave* are not identical terms in Nietzsche. The master and slave moralities are discussed in the next chapter.

because it is hard to escape the tarantulas: ‘Misstraut allen Denen, die viel von ihrer Gerechtigkeit reden! Wahrlich, ihren Seelen fehlt es nicht nur an Honig. Und wenn sie sich selber ‘die Guten und Gerechten’ nennen, so vergesst nicht, dass ihnen zum Pharisäer Nichts fehlt als – Macht!’ (Z II, KSA 4.128). The ideal of justice, with its origin in commerce and cruelty, is here an instrument for the purpose of venting *ressentiment*. To return to the *Genealogie der Moral*, this time section 14 from the First Essay:

Jetzt höre ich erst, was sie so oft schon sagten: ‘Wir Guten – wir sind die Gerechten’ – was sie verlangen, das heissen sie nicht Vergeltung, sondern den Triumph der ‘Gerechtigkeit’; was sie hassen, das ist nicht ihr Feind, nein! sie hassen das ‘Unrecht’, die ‘Gottlosigkeit’; was sie glauben und hoffen, ist nicht die Hoffnung auf Rache, die Trunkenheit der süssen Rache ( – ‘süsser als Honig’ nannte sie schon Homer), sondern der Sieg Gottes, des *gerechten* Gottes über die Gottlosen; was ihnen zu lieben auf Erden übrig bleibt, sind nicht ihre Brüder im Hasse, sondern ihre ‘Brüder in der Liebe’, wie sie sagen, alle Guten und Gerechten auf der Erde (KSA 5.283).

It is clear that in this case the call for justice is but a hypocritical ideal, characterized by self-deception, the desire to mask, hide, or repress the true nature of a reactive lust for vengeance, and is thus precisely the kind of justice Nietzsche hopes to overcome. What is often missed in this context is that it is not *Nietzsche* that finds the origin of justice in revenge, but Eugen Dühring, whose ‘socialistic’ conception of justice Nietzsche attacks in the Second Essay. It is Dühring – and others, but not Nietzsche – that traces the origins of justice back to the reactive feelings of revenge. Nietzsche rejects this theory, because it can so easily be used to lend credence or to rationalize that deplorably slavish abuse of justice that sees it as arising from our *weaker* instincts:

– Hier ein ablehnendes Wort gegen neuerdings hervorgetretene Versuche, den Ursprung der Gerechtigkeit auf einem ganz andren Boden zu suchen, – nämlich auf dem des Ressentiment. Und wie aus Gleichem nothwendig immer Gleiches hervorgehn muss, so wird es nicht überraschen, gerade wieder aus solchen Kreisen Versuche hervorgehen zu sehn, wie sie schon öfter dagewesen sind – vergleiche oben Seite 30 –, die *Rache* unter dem Namen der *Gerechtigkeit* zu heiligen – wie als ob Gerechtigkeit im Grunde nur eine Fortentwicklung vom Gefühle des Verletzt-seins wäre – und mit der Rache die *reaktiven* Affekte überhaupt und allesammt nachträglich zu Ehren zu bringen (GM II 11 KSA 5. 310).

If anything, Nietzsche is trying to save the robust virtue of justice from association with revenge and resentment. This overcoming, however, need not entail the rejection of justice *in toto*. There is a ‘truer’ justice, or rather a justice of superior quality that is much more than a mask for revenge.

In the fourth section of the Vorrede to the *Genealogie der Moral*, Nietzsche tells us that he is interested in ‘die Herkunft der Gerechtigkeit als eines Ausgleichs zwischen ungefähr Gleich-Mächtigen (Gleichgewicht als Voraussetzung aller Verträge, folglich alles Rechts). Rather than simply reducing its origins to revenge or resentment, Nietzsche says that it is more aptly traced to the notion of fairness and proportion. The paradigm of evaluation that Nietzsche favors here, is decidedly non-moral. This supposes that the parties involved start off from a relatively equal position of power, and that justice is the maintenance of equilibrium of this relation through fair exchange, both in distribution and retribution.

Ursprung der Gerechtigkeit. – Die Gerechtigkeit (Billigkeit) nimmt ihren Ursprung unter ungefähr gleich Mächtigen, wie diess Thukydides (in dem furchtbaren Gespräche der athenischen und melischen Gesandten) richtig begriffen hat; wo es keine deutlich erkennbare Uebergewalt giebt und ein Kampf zum erfolglosen, gegenseitigen Schädigen würde, da entsteht der Gedanke sich zu verständigen und über die beiderseitigen Ansprüche zu verhandeln: der Charakter des Tausches ist der anfängliche Charakter der Gerechtigkeit. Jeder stellt den Andern zufrieden, indem Jeder bekommt, was er mehr schätzt als der Andere. Man giebt Jedem, was er haben will als das nunmehr Seinige, und empfängt dagegen das Gewünschte. Gerechtigkeit ist also Vergeltung und Austausch unter der Voraussetzung einer ungefähr gleichen Machtstellung: so gehört ursprünglich die Rache in den Bereich der Gerechtigkeit, sie ist ein Austausch. Ebenso die Dankbarkeit (MA 92, KSA 2.89).

By emphasizing the egoistic desire at work in the economic rhetoric of justice, Nietzsche sets up a contrast with the later moralistic misinterpretation of justice, which sees it as a virtue requiring selflessness and altruism.

The legal order that Nietzsche uses here is one that the noble classes need to impose in order to keep *ressentiment* at bay. It is a form of justice that Nietzsche associates with lawmaking and creating, and as one can see from the passage cited, carries strong agonistic overtones. Arising out of the primitive psychology of trade – so many fair things have filthy origins – the original sense of justice (as opposed to the deviant form, *revenge*) is the conception of justice as fairness and measure, both between equals as well as measure or proportion which must be impressed upon

unequals. Nietzsche thus *demand*s the imposition of laws and adjudication in the name of justice, provided it be done from a position of strength and not weakness, and represents an active interpretation of the world and not a nihilistic or passive one. Not only does he claim that the very existence and function of justice requires a pre-existent state of power parity, but goes on to add that justice cannot even exist between those who do not have more or less equal power. It would thus seem that it cannot exist between the weak and the strong and is therefore not to be pushed into service of the powerless.

It is important to bear in mind though, that Nietzsche appears to give an analysis of the origins of justice and does not intend this particular account to be prescriptive. It is also important to note that Nietzsche believes that a situation of justice between equals is possible, but only between those who are prepared to make *sacrifices* for it. That is to say, justice is for Nietzsche the condition that flourishes between healthy individuals, and should therefore be seen more as a condition to be recognized than a social *telos* to work for.

Gerechtigkeit als Parteien-Lockruf. – Wohl können edle (wenn auch nicht gerade sehr einsichtsvolle) Vertreter der herrschenden Classe sich geloben: ‘wir wollen die Menschen als gleich behandeln, ihnen gleiche Rechte Zugestehen’; insofern ist eine socialistische Denkungsweise, welche auf Gerechtigkeit ruht, möglich, aber wie gesagt nur innerhalb der herrschenden Classe, welche in diesem Falle die Gerechtigkeit mit Opfern und Verleugnungen übt. Dagegen Gleichheit der Rechte fordern, wie es die Socialisten der unterworfenen Kaste thun, ist nimmermehr der Ausfluss der Gerechtigkeit, sondern der Begehrlichkeit. – Wenn man der Bestie blutige Fleischstücke aus der Nähe zeigt und wieder wegzieht, bis sie endlich brüllt: meint ihr, dass diess Gebrüll Gerechtigkeit bedeute?

Nietzsche continues in praising justice by noting that there is in no sense such a thing as ‘pure’ justice.

*An sich* von Recht und Unrecht reden entbehrt alles Sinns, *an sich* kann natürlich ein Verletzen, Vergewaltigen, Ausbeuten, Vernichten nichts ‘Unrechtes’ sein, insofern das Leben *essentiell*, nämlich in seinen Grundfunktionen verletzend, vergewaltigend, ausbeutend, vernichtend fungirt und gar nicht gedacht werden kann ohne diesen Charakter’ (*GM* II 11, KSA 5.312).

The concept of justice is a function of the social struggle of the will to power; it is simply a strategic operation of the will to power in its original sense which Nietzsche condones. Justice is thus not ‘objective’ in that it stands ‘outside’ of social struggle. There is simply no such vantage point. Nietzsche is thoroughly aware that justice is not outside or impartial to the fray, when he claims that

Eine Rechtsordnung souverain und allgemein gedacht, nicht als Mittel im Kampf von Macht-Complexen, sondern als Mittel gegen allen Kampf überhaupt, dass jeder Wille jeden Willen als gleich zu nehmen habe, wäre ein *lebensfeindliches* Princip, eine Zerstörerin und Auflöserin des Menschen, ein Attentat auf die Zukunft des Menschen, ein Zeichen von Ermüdung, ein Schleichweg zum Nichts (*GM* II 11, KSA 5.313).

Instead, justice is implicated in the struggle, which means that we need to be so much more vigilant in seeking by whom and how justice is being invoked.

In the next chapter, we turn to the case of the subject, specifically the case of master and slave, and how bad conscience reached its apex in the interiorization of the self.

## CHAPTER 4: SUBJECTIVITIES AND OTHER PRISONS

He used to wonder at the shallow psychology of those who conceive the Ego of man as a thing simple, permanent, reliable and of one essence. To him, man was a being with myriad lives and myriad sensations, a complex multiform creature that bore within itself strange legacies of thought and passion, and whose very flesh was tainted with the monstrous maladies of the dead.

*The Picture of Dorian Gray.* Oscar Wilde

For a long time ordinary individuality remained below the threshold of description. The disciplinary methods lowered the threshold of describable individuality and made of this description a means of control and domination.

*The Birth of the Clinic.* Michel Foucault

### **Introduction: The Problem of the Subject and the Will to Power**

Of all the metaphysical prejudices that litter the history of Western philosophy, the idea of the self as substance behind appearance, formed early in life and waiting for some kind of discovery or liberation is probably the most tenacious. And according to Nietzsche, it is also the greatest crime against humanity, an imprisonment of the self and a denial of the aesthetic possibilities inherent in the human condition. For Nietzsche, even the God-hypothesis (provided that it forms part of the expression of a strong will to power and a healthy culture) has greater legitimacy than the postulation of the existence of a peculiar entity distinct from the body and beyond the ravages of time. Taking the subject apart is a task – to put it in Foucauldian idiom – of upsetting the *order of things*, to show that what has hitherto been taken as a firm foundation for moral and legal constructions is but itself a construct, and a fairly recent one at that. It is far from innocent too, but a postulate that lends itself as an instrument to be used by the weak against the strong in their first – and last – act of legislation: of replacing the strong, extra-moral ethic of the strong with the moralism of the weak. Subjectivity is therefore the product of specific discursive formations that fulfils specific limiting and discursive functions. As we have seen in chapter one and two, the history of subjectivity presents a series of fictive creations and recreations. Accordingly, the self

is first defined by its function in a larger community (the pre-moral stage). The priority of group-identity gradually yields to the formation of the domain of private, inward experience (the formation of the legal subject).

Historically, liberal theories of justice have conceived the self in strong metaphysical terms. The human subject, as ‘anchor’ of liberalism, was seen as possessing an underlying and determinate nature – a deep core of being – that is describable either in terms of materialism or idealism. Whether as the transcendental subject of Kantian idealism, or the materialistic *homo economicus* of utilitarian and contractarian versions, the liberal self has been seen as ontologically prior to both the forms of life and practices of the community to which it belongs, as well as its own autonomously chosen ends. Liberal justice is thus logically wedded to conceptions of subjectivity and virtue that are untenable in the Nietzschean framework. Or, in its classic version, simply untenable. Michael J. Sandel puts the point as follows: ‘For justice to be the first virtue, certain things must be true of us. We must be creatures of a certain kind, related to human circumstance in a particular way. We must stand at a distance from our circumstances, whether as a transcendental subject in the case of Kant, or as the essentially unencumbered subject of possession in the case of Rawls. Either way, we must regard ourselves as independent: independent from the interest and attachments we may have at any moment, never identified by our aims, but always capable of standing back to survey and assess and possibly to revise them’.<sup>133</sup> Even a form of liberalism that is prepared to ‘revise’ itself, however, would for Nietzsche still belong in the realm of reactive values. The form of subjectivity associated with modernity and concomitantly, liberal justice, is sufficiently problematical to justify a philosophical annihilation. The substantiality and ‘unity’ of this supposed entity presupposes that it is essentially immutable and thus *ahistorical*. This means that a kind of entity is implied that does not become what it is through some contingent developmental process; in other words, the human subject is viewed as a given entity incapable of growth, change and development. This is the kind of imaginative fiction that bespeaks a deep-set resentment against the world, its change and all its contradictions, and a moral world in which justice can only be thought in the narrow terms of bourgeois rights. It is important to realize though, that strictly speaking, ‘the metaphysical subject’ has never existed. Even within the metaphysical

---

<sup>133</sup> Sandel, M. *Liberalism and the Limits of Justice*. Cambridge: Cambridge University Press, 1982, p. 175.



tradition – from Plato to Hegel and Schopenhauer – there has never been a single notion of the subject. The metaphysical tradition has sprouted a plurality of different subjects, always according to need. What has come to be called the ‘subject’ of metaphysics is a synthesis of a number of various metaphysical fictions: political, aesthetic, cognitive, moral, and importantly for our purpose, legal. All of these have had delimited spheres of applicability.

Despite all his efforts to the contrary, Plato already shows difficulty in maintaining a single notion of the subject. In the *Phaedo*, Plato asserts that ‘the soul is most similar to what is divine, immortal, intelligible, uniform, indissoluble, unvarying, and constant in relation to itself’, in contrast to the body, which is mortal, chaotic and multiform. This is of course a model of the metaphysical dichotomies that Nietzsche tried to undermine. Later, in texts such as the *Republic*, however, Plato viewed the self as a composite of elements frequently in conflict with one another. In this dialogue, a distinction is made between the appetitive, ‘moral’ and rational aspects of the soul, all of which have to be controlled in a hierarchy of the self. Although Plato views the ideal soul as one in which ‘reason and its subordinates are all agreed that reason should rule’ (442 c), his insistence on the soul as a self-disciplined organization of elements is not that distant from Nietzsche’s. The primary target of Nietzsche’s critique is a Cartesian notion of the self, and its equally stifling cousin, the moral subject of Judeo-Christian theology.

As part of his radical overhaul of Western values, Nietzsche posits the complete *amorality* of nature. In contrast to the moral conception of nature of Jean-Jacques Rousseau, Nietzsche gives us the will to power as the only ‘law of life’:

Alle grossen Dinge gehen durch sich selbst zu Grunde, durch einen Akt der Selbstaufhebung: so will es das Gesetz des Lebens, das Gesetz der *nothwendigen* ‘Selbstüberwindung’ im Wesen des Lebens, – immer ergeht zuletzt an den Gesetzgeber selbst der Ruf: ‘patere legem, quam ipse tulisti’ (GM III 27, KSA 5.409).

Throughout Nietzsche’s work after *Die Fröhliche Wissenschaft* he persistently describes the will to power as the basis for morality. This presents an obvious problem of how a single concept with definitive and substantive meaning can be the root for value systems as divergent as the primitive morality of mores at the dawn of humanity, as well as the morality of master and slave. Before we turn to those

morality and the form of justice implied by them, let us briefly return to Nietzsche's conception of power itself.

At first, in the *Menschliches, Allzumenschliches* series from 1878-1880, Nietzsche appears to hold the view that power is one desired end among others such as pleasure, utility, and preservation, but came to amend this view, probably during the writing of *Die Fröhliche Wissenschaft*. The first mention of the will to power as a distinct and special sort of power occurs in *Also Sprach Zarathustra* (1883). At the heart of Nietzsche's 'new' thinking of power is the rejection of three 'narrow' conceptions of power. In the first instance, power is no longer merely seen as the same sort of end as preservation, because it is not a stable or unified end desired by an individual. Nietzsche does not see men as pursuing a certain state of powerfulness, a resting place or heightened state analogous to a state of preservation. Secondly, power is not to be thought of as a kind of pool or reservoir to which more can simply be added. Utility and pleasure can be thought of in this way, since one can say that an agent attempts to accumulate utility or pleasure over time. But power cannot be accumulated. As should be clear from the previous chapter, in the third instance power is not sought by an agent as ego or will. If Nietzsche had analyzed the seat of human agency in terms of an ego or a single unified will, we might have conceived of power as something desired by such a will, or by some center of activity of the person. But this is precisely the view that Nietzsche challenges. In *Morgenröte* 119:

*Erleben und Erdichten.* – Wie weit Einer seine Selbstkenntniss auch treiben mag, Nichts kann doch unvollständiger sein, als das Bild der gesammten Triebe, die sein Wesen constituiren. Kaum dass er die gröbereren beim Namen nennen kann: ihre Zahl und Stärke, ihre Ebbe und Fluth, ihr Spiel und Widerspiel unter einander, und vor Allem die Gesetze ihrer *Ernährung* bleiben ihm ganz unbekannt. Diese Ernährung wird also ein Werk des Zufalls: unsere täglichen Erlebnisse werfen bald diesem, bald jenem Triebe eine Beute zu, die er gierig erfasst, aber das ganze Kommen und Gehen dieser Ereignisse steht ausser allem vernünftigen Zusammenhang mit den Nahrungsbedürfnissen der gesammten Triebe: sodass immer Zweierlei eintreten wird, das Verhungern und Verkümmern der einen und die Überfütterung der anderen (*M* 199, KSA 3.111).

In *Jenseits von Gut und Böse* he rejects the notion of a unified will explicitly:

Wollen scheint mir vor Allem etwas Complicirtes, Etwas, das nur als Wort eine Einheit ist – und eben im Einen Worte steckt das Volks-Vorurtheil, das

über die allzeit nur geringe Vorsicht der Philosophen Herr geworden ist. Seien wir also einmal vorsichtiger, seien wir ‘unphilosophisch’ –, sagen wir: in jedem Wollen ist erstens eine Mehrheit von Gefühlen, nämlich das Gefühl des Zustandes, von dem weg, das Gefühl des Zustandes, zu dem hin, das Gefühl von diesem ‘weg’ und ‘hin’ selbst, dann noch ein begleitendes Muskelgefühl, welches, auch ohne dass wir ‘Arme und Beine’ in Bewegung setzen, durch eine Art Gewohnheit, sobald wir ‘wollen’, sein Spiel beginnt. Wie also Fühlen und zwar vielerlei Fühlen als Ingredienz des Willens anzuerkennen ist, so zweitens auch noch Denken: in jedem Willensakte giebt es einen commandirenden Gedanken; – und man soll ja nicht glauben, diesen Gedanken von dem ‘Wollen’ abscheiden zu können, wie als ob dann noch Wille übrig bliebe! (*JGB* 19, KSA 5.32).

Nietzsche’s theory of the will to power thus appeared to have developed at the same time that his understanding of agency became settled on the notion that drives and the struggle between them form the basis for human action. In other words, if our actions are grounded in our drives, and are at the same time an expression of the will to power, then there must be some intimate connection. Using as example the drive to knowledge in *Jenseits von Gut und Böse* 6, we read:

In der That, man thut gut (und klug), zur Erklärung davon, wie eigentlich die entlegensten metaphysischen Behauptungen eines Philosophen zu Stande gekommen sind, sich immer erst zu fragen: auf welche Moral will es (will er – ) hinaus? Ich glaube demgemäss nicht, dass ein ‘Trieb zur Erkenntniss’ der Vater der Philosophie ist, sondern dass sich ein anderer Trieb, hier wie sonst, der Erkenntniss (und der Verkenntniss!) nur wie eines Werkzeugs bedient hat. Wer aber die Grundtriebe des Menschen darauf hin ansieht, wie weit sie gerade hier als inspirirende Genien (oder Dämonen und Kobolde – ) ihr Spiel getrieben haben mögen, wird finden, dass sie Alle schon einmal Philosophie getrieben haben, – und dass jeder Einzelne von ihnen gerade sich gar zu gerne als letzten Zweck des Daseins und als berechtigten Herrn aller übrigen Triebe darstellen möchte. Denn jeder Trieb ist herrschsüchtig: und als solcher versucht er zu philosophiren (*JGB* 6, KSA 5.20).

This implies that the will to power manifests itself in every drive. The will to power of every drive is the will to the enhancement of the activity of that drive. To say that every drive possesses a will to power is to say that it constantly strives to raise the level of its activity. John Richardson writes in this regard: ‘We say that drives are ‘will to power’ in that they essentially pursue the continual enhancement of their distinctive activities, enhancements that consist in increasing their mastery over

others'.<sup>134</sup> Each drive has a will to power that aims for a higher and higher manifestation of their activity, and it achieves these manifestations through the incorporation of other drives. These drives are incorporated when they are put to work for the dominant drive's ends, or when their ends are included – often in sublimated form – in the ends of the dominant drive. In other words, a drive either forces another to work in its own interest, or includes another drive's ends as its own. In the passage cited above, Nietzsche allows that there may be a drive to knowledge, but that it is only a tool (*Werkzeug*) for another philosophizing drive.

As a further example, one can refer to *Jenseits von Gut und Böse* 9, where Nietzsche presents Stoicism as an example of such a philosophical drive. In describing the Stoics' drive to self-tyranny, Nietzsche states that they project their morality unto nature while pretending to derive it from nature. Although an example of a *passive* will, the Stoics still enhance their capacity for self-governance by employing the methods and skills associated with the drive to knowledge. Self-tyranny uses observation, inquiry, argument, and reason to justify and expand itself. None of these epistemological tools, however, is truly at work in grounding the Stoic morality, which is an expression of the tyrannical drive expanding its influence in the sphere of the agent's life. Drives are blindly or unconsciously striving towards their particular ends and their domination of other drives in the way described is also blind. There is no presiding ego that dictates when a drive can proceed and seek its ends and when it must step back and allow time and resources for the discharge of another. Nietzsche instead imagines a constant struggle between drives, and that a drive expresses itself only at the cost of all the others. Each drive therefore does not only seek to discharge itself, but also to dominate the others so that it can reach its goals more often. In this process, drives synthesize themselves into individuals and communities, so that it is possible to talk – as Nietzsche does – of both an individual and a general will to power. The will to power of the individual is the will to the enhancement of the activities that dominate within the individual in question. The task is now to examine how the will to power, understood as will to the enhanced activities of drives, grounds the three forms of morality that Nietzsche discusses, what form justice takes in each case and how Nietzsche evaluates them.

---

<sup>134</sup> Richardson, R. *Nietzsche's System*. Cambridge: Cambridge University Press, 1992, p. 67.

## 1. Primitive *Sittlichkeit*

Nietzsche's account of the birth of the modern subject is less one of the emergence of consciousness as such as it is the development of self-consciousness out of a more primitive version of self-consciousness, the latter already having been constituted by a variety of organic and communicative needs. In the first stage, the self acts purely upon instinct and its energies are directed wholly towards engagement with the outside world. In the second stage, the imposition of external constraint, especially the ensnaring of the subject within a legal economy, creates an inner depth in which the subject becomes for the first time fully self-conscious. In the third stage, the legal economy is moralized, giving rise to the subject of modernity.

We have already encountered the notion of a morality of *mores* in our previous chapter in which we have discussed the primitive moral systems in which the question of justice made its first appearance. As we have seen, these were moralities of customs that demanded the sacrifice of the individual. These moralities had their origin in a concern for community preservation, and it is with this aim in mind that the action of *legislating* values came into being in the first place. Newly formed communities set up rules and values aimed at maintaining a viable social unit.

*Sitte und sittlich.* – Moralisch, sittlich, ethisch sein heisst Gehorsam gegen ein altbegründetes Gesetz oder Herkommen haben. Ob man mit Mühe oder gern sich ihm unterwirft, ist dabei gleichgültig, genug, dass man es thut. 'Gut' nennt man Den, welcher wie von Natur, nach langer Vererbung, also leicht und gern das Sittliche thut, je nachdem diess ist (zum Beispiel Rache übt, wenn Rache-üben, wie bei den älteren Griechen, zur guten Sitte gehört). Er wird gut genannt, weil er 'wozu' gut ist; da aber Wohlwollen, Mitleiden und dergleichen in dem Wechsel der Sitten immer als 'gut wozu', als nützlich empfunden wurde, so nennt man jetzt vornehmlich den Wohlwollenden, Hülfreichen 'gut'. Böse ist 'nicht sittlich' (unsittlich) sein, Unsitte üben, dem Herkommen widerstreben, wie vernünftig oder dumm dasselbe auch sei; das Schädigen des Nächsten ist aber in allen den Sittengesetzen der verschiedenen Zeiten vornehmlich als schädlich empfunden worden, so dass wir jetzt namentlich bei dem Wort 'böse' an die freiwillige Schädigung des Nächsten denken. (MA 96, KSA 2.93).

At this stage, the individual is of very little importance, as is the *reason* for the development of a particular community. At this pre-reflexive point in time, the will is *healthy* and still exteriorizes itself.

... sondern vor Allem zum Zweck der Erhaltung einer Gemeinde, eines Volkes; jeder abergläubische Brauch, der auf Grund eines falsch gedeuteten Zufalls entstanden ist, erzwingt ein Herkommen, welchem zu folgen sittlich ist; sich von ihm lösen ist nämlich gefährlich, für die Gemeinschaft noch mehr schädlich als für den Einzelnen (weil die Gottheit den Frevel und jede Verletzung ihrer Vorrechte an der Gemeinde und nur insofern auch am Individuum straft). Nun wird jedes Herkommen fortwährend ehrwürdiger, je weiter der Ursprung abliegt, je mehr dieser vergessen ist; die ihm gezollte Verehrung häuft sich von Generation zu Generation auf, das Herkommen wird zuletzt heilig und erweckt Ehrfurcht; und so ist jedenfalls die Moral der Pietät eine viel ältere Moral, als die, welche unegoistische Handlungen verlangt. (MA 96, KSA 2.93).

The will to power ‘voices’ or expresses itself in a group or a people. In *Also Sprach Zarathustra*, the work that introduces the will to power, Nietzsche – through the voice of Zarathustra – notes the fact that different cultures and peoples have different moral codes. These codes differ as a result of the different survival strategies different groups had to adopt according to circumstance: ‘Viele Länder sah Zarathustra und viele Völker: so entdeckte er vieler Völker Gutes und Böses. Keine grössere Macht fand Zarathustra auf Erden, als gut und böse. Leben könnte kein Volk, das nicht erst schätzte; will es sich aber erhalten, so darf es nicht schätzen, wie der Nachbar schätzt’ (Von tausend und Einem Ziele’ Z II, KSA 4.74). Moral actions are those actions which are valued or praised because they are difficult to perform but necessary for the survival of a community. What is difficult for a people obviously depends on what is easy for the same people. From Nietzsche’s perspective – risking crudeness he can be described as a psychological egoist – what is most difficult for a people is overcoming the natural inclination for egoistic activity, that is the kind of activity which serves the immediate interests of the agent. Moral actions are difficult, they do not serve the immediate interests of the agent, and have to be *enforced*, either forcefully (as we have seen in our discussion on debt), or more gently, through praise and social approval. And the actions that win praise and approval in primitive communities will be unegoistic actions that are necessary for the survival of the community. This is the origin of the herd instinct.

*Heerden-Instinct.* – Wo wir eine Moral antreffen, da finden wir eine Abschätzung und Rangordnung der menschlichen Triebe und Handlungen. Diese Schätzungen und Rangordnungen sind immer der Ausdruck der Bedürfnisse einer Gemeinde und Herde: Das, was ihr am ersten frommt – und am zweiten und dritten –, das ist auch der oberste Maassstab für den

Werth aller Einzelnen. Mit der Moral wird der Einzelne angeleitet, Function der Heerde zu sein und nur als Function sich Werth zuzuschreiben. Da die Bedingungen der Erhaltung einer Gemeinde sehr verschieden von denen einer anderen Gemeinde gewesen sind, so gab es sehr verschiedene Moralen; und in Hinsicht auf noch bevorstehende wesentliche Umgestaltungen der Heerden und Gemeinden, Staaten und Gesellschaften kann man prophezeien, dass es noch sehr abweichende Moralen geben wird. Moralität ist Heerden-Instinct im Einzelnen (*FW* 3.475, *KSA* 3.475).

It is important to note here, as we have seen in the previous chapter, that the bad conscience in the pre-moral stage is not identical to the bad conscience in the moral period, so too is herd morality not identical to the slave morality of modernity. Nietzsche's interest in the morality of mores stems from his belief that certain features of contemporary morality grew out of this historical stage. The herd *instinct* of contemporary morality first had its origins in the morality of mores which was directed towards the preservation of the community itself. The will towards communal preservation (herd instinct) selects among all the available drives and allows the drives it considers to be 'safe' and compatible with survival to express itself within the confines it lays down. Other drives are cut off as 'immoral'. For this reason, the 'virtues' of the weak are nothing short of hypocritical. Despite their different physiological and historical conditions, every morality is a form of tyranny. The essence of every moral code is that it constitutes the basis for a long period of compulsion. This compulsion forms what is called in the slave's *argot* man's 'nature'. Any morality of *laissez-aller* precludes the possibility of *having* a 'nature'. What is essential is 'das Wesentliche, 'im Himmel und auf Erden', wie es scheint, ist, nochmals gesagt, dass lange und in Einer Richtung *gehört* werde' (*JGB* 188, *KSA* 5.109). This is why every moral system hides deeply immoral origins: Without force, which is, according to the slave's virtues deeply immoral, there can be no morality in terms of which force is to be condemned: 'Jede Moral ist, im Gegensatz zum *laissez-aller*, ein Stück Tyrannei gegen die "Natur" auch gegen die "Vernunft": das ist aber noch kein Einwand gegen sie, man müsste denn selbst schon wieder von irgend einer Moral aus dekretiren, dass alle Art Tyrannei und Unvernunft unerlaubt sei' (*JGB* 188, *KSA* 5.108).

This is the operation of the will to power itself: the herd instinct voices itself and dominates the drives that suit its purposes. Nietzsche is explicit about the fact that

the will to power – the will to enhanced activity – of a drive can operate through esteeming or valuing. Through Zarathustra Nietzsche states:

Werthe legte erst der Mensch in die Dinge, sich zu erhalten, – er schuf erst den Dingen Sinn, einen Menschen-Sinn! Darum nennt er sich ‘Mensch’, das ist: der Schätzende.

Schätzen ist Schaffen: hört es, ihr Schaffenden! Schätzen selber ist aller geschätzten Dinge Schatz und Kleinod.

Durch das Schätzen erst giebt es Werth: und ohne das Schätzen wäre die Nuss des Daseins hohl. (Von tausend und Einem Ziele’ Z II, KSA 4.74).

What matters however, is *how* one evaluates. The question that Nietzsche seeks to answer is how it came about that the herd morality became a fully-fledged slave morality, turned inward, and destroyed the possibility to evaluate according to ideals other than the ascetic ideal of safety and self-preservation. The description of the gradual triumph of the herd morality over that of the noble competitor bears the burden of a two-fold signification. It describes the total victory of the herd morality on the one hand, and on the other, as a legislative instrument in its own right, implies its own dissociation from the thinking of the herd. It describes the victory of the herd over the nobles and rebels against the antithetical structures in terms of which the latter express their value, yet it does so by way of recuperation from excesses of the herd. Gilles Deleuze thus correctly describes the *Genealogie* as ‘devoted to figures of reactive triumph’.<sup>135</sup>

## 2. Master Morality

Nietzsche first introduces the singular concept of a master morality in *Menschliches, Allzumenschliches* 45:

Doppelte Vorgeschichte von Gut und Böse. – Der Begriff gut und böse hat eine doppelte Vorgeschichte: nämlich einmal in der Seele der herrschenden Stämme und Kasten. Wer die Macht zu vergelten hat, Gutes mit Gutem, Böses mit Bösem, und auch wirklich Vergeltung übt, also dankbar und rachsüchtig ist, der wird gut genannt; wer unmächtig ist und nicht vergelten kann, gilt als schlecht. Man gehört als Guter zu den ‘Guten’, einer Gemeinde, welche Gemeingefühl hat, weil alle Einzelnen durch den Sinn der Vergeltung mit einander verflochten sind. Man gehört als Schlechter zu den ‘Schlechten’,

---

<sup>135</sup> Deleuze, G. *Nietzsche and Philosophy*. Translated by H. Tomlinson. London: Athlone Press, 1986, p. 57.



zu einem Haufen unterworfenen, ohnmächtiger Menschen, welche kein Gemeingefühl haben. Die Guten sind eine Kaste, die Schlechten eine Masse wie Staub. Gut und schlecht ist eine Zeit lang so viel wie vornehm und niedrig Herr und Slave. Dagegen sieht man den Feind nicht als böse an: er kann vergelten. (*MA* 45, *KSA* 2.67).

In Nietzsche's description of the shift from master to slave morality, a number of important observations stand out. The masters do not know guilt, responsibility, or consideration (*GM*, I), they are born 'organizers'. The masters exteriorize their will on the environment around them; they form it in their own image, according to what they hold to be of quality. Nietzsche differentiates the masters from the slaves on the basis of the lack of *utility* of their values. The slaves value certain instincts or actions because they are useful for gaining something. That is why they are despised:

Im ersten Falle, wenn die Herrschenden es sind, die den Begriff 'gut' bestimmen, sind es die erhobenen stolzen Zustände der Seele, welche als das Auszeichnende und die Rangordnung Bestimmende empfunden werden. Der vornehme Mensch trennt die Wesen von sich ab, an denen das Gegentheil solcher gehobener stolzer Zustände zum Ausdruck kommt: er verachtet sie. Verachtet wird der Feige, der Ängstliche, der Kleinliche, der an die enge Nützlichkeit Denkende.... (*JGB* 260, 5.209).

In the case of the masters, where the ruling group determines what is 'good', a powerful self is experienced as conferring distinctions and determining orders of rank. In other words, they actively *legislate*: The noble type of man experiences itself as determining values, it knows itself to be 'value-creating'.

As practical example of this 'value-creation', Nietzsche gives us a brief history of the concept 'good'. He begins by exposing the naivety of those 'English psychologists' who held that 'good' originally referred not to the conferrer of the term, but to the benefit enjoyed by the person who was the object of an action. Eventually, so the English psychologists say, those who benefited attributed goodness to the initiator of beneficial actions. This resulted in the establishment of selfless deeds as the ideal of praiseworthy conduct. This vaguely utilitarian theory is, however, for Nietzsche untenable and psychologically speaking unsound. Important for our purpose, this version also downplays the *legislative* dimension of value creation. Nietzsche contends that something entirely different actually transpired.

Nun liegt für mich erstens auf der Hand, dass von dieser Theorie der eigentliche Entstehungsheerd des Begriffs ‘gut’ an falscher Stelle gesucht und angesetzt wird: das Urtheil ‘gut’ rührt nicht von Denen her, welchen ‘Güte’ erwiesen wird! Vielmehr sind es ‘die Guten’ selber gewesen, das heist die Vornehmen, Mächtigen, Höhergestellten und Hochgesinnten, welche sich selbst und ihr Thun als gut, nämlich als ersten Ranges empfanden und ansetzten, im Gegensatz zu allem Niedrigen, Niedrig-Gesinnten, Gemeinen und Pöbelhaften. Aus diesem Pathos der Distanz heraus haben sie sich das Recht, Werthe zu schaffen, Namen der Werthe auszuprägen, erst genommen: was gieng sie die Nützlichkeit an! Der Gesichtspunkt der Nützlichkeit ist gerade in Bezug auf ein solches heisses Herausquellen oberster rang-ordnender, rang-abhebender Werthurtheile so fremd und unangemessen wie möglich: hier ist eben das Gefühl bei einem Gegensatze jenes niedrigen Wärmegrades angelangt, den jede berechnende Klugheit, jeder Nützlichkeits-Calcul voraussetzt, – und nicht für einmal, nicht für eine Stunde der Ausnahme, sondern für die Dauer. Das Pathos der Vornehmheit und Distanz, wie gesagt, das dauernde und dominirende Gesamt- und Grundgefühl einer höheren herrschenden art im Verhältniss zu einer niederen Art, zu einem ‘Unten’ – das ist der Ursprung des Gegensatzes ‘gut’ und ‘schlecht’ (*GM I 2*, KSA 5.259).

Because the term ‘good’ is used by the masters in referring to themselves, what passes under ‘good’ cannot become transcendental. It would be an open-ended, yet contained definition of quality that would leave room for new re-definitions as power-games continue to transform communities. This would constitute a generous economy of power that leaves plenty of room for new legislation and enactments of value. Master morality is sufficient to itself and therefore lacks the sense of a time when things might become conceivably better.<sup>136</sup> Rather, the master seeks to behave in an honorable and unashamed fashion toward those who are his peers in that they too embody their own ‘moralities’: ‘Der Troer und der Grieche sind bei Homer beide gut. Nicht Der, welcher uns Schädliches zufügt, sondern Der, welcher verächtlich ist, gilt als schlecht. In der Gemeinde der Guten vererbt sich das Gute; es ist unmöglich, dass ein Schlechter aus so gutem Erdreiche hervorwachse’ (*HAH 45*, KSA 2.67). Nietzsche’s conception of the origin of a morality of good and bad is supported by a survey of the evolution of ‘good’ in a number of languages:

sie allesammt auf die gleiche Begriffs-Verwandlung zurückleiten, – dass überall ‘vornehm’, ‘edel’ im ständischen Sinne der Grundbegriff ist, aus dem sich ‘gut’ im Sinne von ‘seelisch-vornehm’, ‘edel’, von ‘seelisch-

---

<sup>136</sup> See the next chapter for a discussion on the resurrection of tragic time and Nietzsche’s resurrection of tragic justice.

hochgeartet', 'seelisch-privilegiert' mit Nothwendigkeit heraus entwickelt: eine Entwicklung, die immer parallel mit jener anderen läuft, welche 'gemein', 'pöbelhaft', 'niedrig' schliesslich in den Begriff 'schlecht' übergehen macht. Das beredteste Beispiel für das Letztere ist das deutsche Wort 'schlecht' selber: als welches mit 'schlicht' identisch ist – vergleiche 'schlechtweg', 'schlechterdings' – und ursprünglich den schlichten, den gemeinen Mann noch ohne einen verdächtigenden Seitenblick, einfach im Gegensatz zum Vornehmen bezeichnete (*GM I 4*, KSA 5.261).

This is supported by the meaning of the common Teutonic root *gód*, which means 'to be of high rank or valor', and interestingly, has associations with the word 'playful'.<sup>137</sup> In Middle English too, the word *badde* means 'of defective quality or worth', or 'unfavorable'.<sup>138</sup>

The nobles may be haughty and self-righteous, but also resourceful in consideration, delicacy, loyalty, pride, and friendship. (*GM*, I, 11). Important for our purpose, in *Jenseits von Gut und Böse* 260, Nietzsche adds:

Die vornehme Art Mensch fühlt sich als werthbestimmend, sie hat nicht nöthig, sich gutheissen zu lassen, sie urtheilt was mir schädlich ist, das ist an sich schädlich', sie weiss sich als Das, was überhaupt erst Ehre den Dingen verleiht, sie ist wertheschaffend. Im Vordergrund steht das Gefühl der Fülle, der Macht, die überströmen will, das Glück der hohen Spannung, das Bewusstsein eines Reichthums, der schenken und abgeben möchte: – auch der vornehme Mensch hilft dem Unglücklichen, aber nicht oder fast nicht aus Mitleid, sondern mehr aus einem Drang, den der Überfluss von Macht erzeugt (*JGB* 260, KSA 5.210).

The masters' creation of values is a *direct* expression of power, an *active* form of legislation. The master does not fear the essentially human role of legislator. Nietzsche makes it clear that he thinks that the master creates values out of an abundance of power. He writes in the paragraph cited above that 'Alles, was sie an sich kennt, ehrt sie: eine solche Moral ist Selbstverherrlichung.' Value does not arise as a means to a given end, but as an expression of delight in oneself and the world one inhabits. Being courageous enough to recognize his own nature and that of his type as the sole ground for his values, he has no need to project his values unto some external authority, secular or transcendent. In other words, the most just definition of master

<sup>137</sup> Little, W. *et al.* The Longer Oxford Dictionary On Historical Principles. Oxford: Oxford University Press, 1956.

<sup>138</sup> The word is used by Chaucer, for example, to denote quality, not moral goodness: 'a *badde coin*' According to Little, W. *et al.*, the word 'badde' could itself be derived from the Old English *baeddel*, 'hermaphrodite', something base or disturbing.

would not be that of one who desires power over others – if anything, that is what the slave desires – but rather a relationship of sovereign self-legislation towards oneself. In the second Essay Nietzsche describes it as follows:

das von der Sittlichkeit der Sitte wieder losgekommene, das autonome übersittliche Individuum (denn ‘autonom’ und ‘sittlich’ schliesst sich aus), kurz den Menschen des eignen unabhängigen langen Willens, der versprechen darf – und in ihm ein stolzes, in allen Muskeln zuckendes Bewusstsein davon, was da endlich errungen und in ihm leibhaft geworden ist, ein eigentliches Macht- und Freiheits-Bewusstsein, ein Vollendungs-Gefühl des Menschen überhaupt (GM II 2, KSA 5.293).

In his remarkable interpretation of the will to power, Gilles Deleuze reads Nietzsche as contrasting two forms of the will to power. The familiar valuational hierarchies of his (Nietzsche’s) age are seen by Deleuze as *reactive* and the new conception of the will to power as effective force Deleuze names *active*. While active forces are not identical to an identifiable master class, and slave similarly not identical to the concept *reactive*, it can be argued that Nietzsche and Deleuze simply use two different sets of metaphor to denote qualitative differences in evaluation criteria. Whereas active forces are concerned only with their own well-being and expansion, reactive forces by contrast, are concerned with the active forces and find their principle of action outside themselves. Deleuze states in his reading of Nietzsche: ‘Even by getting together reactive forces do not form a greater force, one that would be active. They proceed in an entirely different way, they decompose, they *separate active force from what it can do*; they take away a part or almost all of its power. In this way reactive forces do not become active, but on the contrary, they make active forces join them and become reactive in a new sense... when reactive forces separate it from what it can do’.<sup>139</sup> Reactive forces are not weaker than active ones; in fact they tend to overpower active ones and turn them into reactive ones, but they are slavish in that they are directed towards the active forces, incapable of legislating meaning on their own. For convenience’s sake we will quote Deleuze’s neat list:

Reactive force is

1. a utilitarian force of adaptation and partial limitation;
2. a force which separates active forces from what they can do;

---

<sup>139</sup> Deleuze, G. *Anti-Oedipus*. Capitalism and Schizophrenia, Translated by R. Hurley. Minneapolis: University of Minnesota Press, 1983, p.61

3. a force that *denies* active forces.

Active force is:

1. plastic, dominant and subjugating;
2. a force which goes to the limit of what it can do;
3. a force which affirms its difference, which makes its difference an object of enjoyment and affirmation. Forces are only absolutely and completely determined if these three pairs of characteristics are taken into account simultaneously.<sup>140</sup>

Given the plasticity and mobility of active forces and given that these forces are not governed by or directed towards pre-ordained objects, the world itself must be seen as a pliable and potentially infinitely diverse field of energies, whose capacities and advances can never be predicted. It takes a certain kind of human who is able to face up to this condition, and this is why a universal conception of justice is in reality committing injustice towards the best kind of human in the first instance and against the world and its complexities in the second instance.

To make further sense of the master's justice, it is necessary to return briefly to Nietzsche's perspectivism. In 1884 he noted the following:

Einsicht: bei aller Werthschätzung handelt es sich um eine bestimmte Perspective: Erhaltung des Individuums, einer Gemeinde, einer Rasse, eines Staates, einer Kirche, eines Glaubens, einer Cultur – vermöge des Vergessens, daß es nur ein perspektivisches Schätzen giebt, wimmelt alles von widersprechenden Schätzungen und folglich von widersprechenden Antrieben in Einem Menschen. Dies ist der Ausdruck der Erkrankung am Menschen, im Gegensatz zum Thiere, wo alle vorhandenen Instinkte ganz bestimmten Aufgaben genügen. Dies widerspruchsvolle Geschöpf hat aber an seinem Wesen eine große Methode der Erkenntniß: er fühlt viele Für und Wider – er erhebt sich zur *Gerechtigkeit* – zum Begreifen jenseits des Gut- und Böseschätzens. Der weiseste Mensch wäre der reichste an Widersprüchen, der gleichsam Tastorgane für alle Arten Mensch hat: und zwischeninnen seine großen Augenblicke grandiosen Zusammenklangs – der hohe Zufall auch in uns! (Aphorism 9383, *NL* 84-85, *KSA* 11.182).

What makes this paragraph important for our purpose is that one finds here two broad perspectival categories. The first is the familiar language of good and evil, which is to say, the moral perspective. Then there is the category of 'justice', which can be described as 'doing that which is appropriate to that which one encounters'. This is truly a move beyond good and evil. 'Justice' in this context stands completely apart from any notion of a unified subject but depends on the ability of an organism to

---

<sup>140</sup> Deleuze, G. *ibid.* p.23.

contain what Tracy B. Strong calls ‘non-antagonistic contradictions within the self’.<sup>141</sup> According to Nietzsche, it is often forgotten that the unity of the world is a double imputation, first from the unity of the knower derived from the process of knowing, and then by the unity of the world as perceived by the knower. In those who rise up to justice, the knower acknowledges his own multiplicity, the fact that he as well as the world that he interprets, requires legislation again and again. It is important to note that the distinction between the perspectives of morality and that of justice does not correspond to a distinction between points of view, but to different kinds of evaluation. Some lack the ability to have a ‘basis’ or a standard according to which they measure, and their judgments are therefore ‘chaos’.

It is important to note at this stage that Nietzsche does not present us here with a problem of false consciousness. As Michael Holquist has noted, false consciousness implies that all claims to knowledge ‘can never express the actual place they occupy among the reigning myths of their own time and place’.<sup>142</sup> Nihilism is not a false consciousness whereby our knowledge of the world would be incomplete because of our own involvement in the inevitability of our own place in the world. Hierarchy of perspective places the emphasis on the effects of a perspective on a knower. Nietzsche is concerned more with quality than epistemological accuracy.

The move to a perspective of ‘justice’ implies neither ‘accomplishment’ nor *Vollendung*. Things can only be seen as they ‘really’ are if they are seen as multiple, even to *multiply*. The more composite a knower is, that is, the less likely he is to take a part for the whole and become subject to his own creations, the more ‘eyes’ the self will have, the greater his position to do justice to the world. As Nietzsche writes in *Jenseits von Gut und Böse*:

Man vergisst aber gerne, auch auf Seiten besonnener Geister, dass Unglücklich-machen und Böse-machen ebensowenig Gegenargumente sind. Etwas dürfte wahr sein: ob es gleich im höchsten Grade schädlich und gefährlich wäre; ja es könnte selbst zur Grundbeschaffenheit des Daseins gehören, dass man an seiner völligen Erkenntniss zu Grunde gieng, – so dass sich die Stärke eines Geistes darnach bemässe, wie viel er von der ‘Wahrheit’ gerade noch aushielte, deutlicher, bis zu welchem Grade er sie verdünnt, verhüllt, versüsst, verdumpft, verfälscht *nöhtig hätte* (JGB 39, KSA 5.57).

---

<sup>141</sup> Strong, T. B. *Friedrich Nietzsche and the Politics of Transfiguration*. Berkeley: University of California Press, 1975, p. 306.

<sup>142</sup> Holquist, M. *The Politics of Representation*. London: Albany Press, 1994 p. 22.

Unexpectedly, Nietzsche shares something here of the Calvinist epistemology. Calvin<sup>143</sup> argued that man could – and consequently should – not pretend to know the world as it is. That was only for God. Human knowledge was necessarily perspectival, that of the creaturely sinner. Nietzsche espouses a similar viewpoint from as early as *Die Geburt der Tragödie*. This text is a text in the theory of understanding: it is the answer to the question of how the Greeks became who they were and how they attained that way of life without falling either into ‘Asiatic chaos’ or into the rigid prose of Rome. From this text onwards, Nietzsche consistently and explicitly insists upon the incompatibility between truth and life and the necessity of horizons in making meaning possible. In *Jenseits von Gut und Böse* 34 he notes: ‘Man gestehe sich doch so viel ein: es bestünde gar kein Leben, wenn nicht auf dem Grunde perspektivischer Schätzungen und Scheinbarkeiten’. To have a perspective means to have horizons, and such limitations allow us to be defined as beings in the first place. In the 1886 preface to *Menschliches, Allzumenschliches* he argues that humans cannot experience the world as other than unjust, and that it was a sign of strength to forgo any attempt to experience the world in any other but tragic terms.

Du solltest die *nothwendige* Ungerechtigkeit in jedem Für und Wider begreifen lernen, die Ungerechtigkeit als unablösbar vom Leben, das Leben selbst als *bedingt* durch das Perspektivische und seine Ungerechtigkeit (*MA* Vorrede 6, KSA 2.20).

In his 1870 lecture on *Oedipus Rex* Nietzsche had already made the point that tragedy presents the deepest conflict between life and thought. Greek tragedy, as we have seen, consisted of the manner in which the Greeks managed to accept the fact that all knowledge, including that of themselves, was perspectival, and yet not call that perspective into question. This is what mastership *means*, namely the acknowledgement that simply to live as a human means to be situated, or ‘thrown’ into a radically unjust situation. The difference between master and slave morality is that the master does not *experience* the world as unjust, while the slave’s point of departure is an intense experience of the unfairness and injustice of the world.

---

<sup>143</sup> Nietzsche’s statement in his final letter to Burckhardt, that he was ‘every name’ in history, makes sense in this context: even though he exaggerates, there are very few thinkers from the history of philosophy that do not make an appearance somewhere in the Nietzschean *oeuvre*.

### 3. Slave Morality

In *Zur Genealogie der Moral* I section 7 Nietzsche introduces slave morality as a different *method* of evaluation, one that developed in response to the values legislated by the masters. These values did not develop as the expression or description of a personal richness, but are intrinsically functional in that the very basis for their coming into being depend on them setting a purpose, just as the primitive communal values served the purpose of preserving a community. Slave values represent a reactive form of evaluation, ‘die Sklaven-Moral bedarf, um zu entstehn, immer zuerst einer Gegen- und Aussenwelt, sie bedarf, physiologisch gesprochen, äusserer Reize, um überhaupt zu agiren, – ihre Aktion ist von Grund aus Reaktion’ (*GM* I. 7. KSA 5.271). And it is largely a reaction against suffering.

Hierin allein ist, meiner Vermuthung nach, die wirkliche physiologische Ursächlichkeit des Ressentiment, der Rache und ihrer Verwandten, zu finden, in einem Verlangen also nach Betäubung von Schmerz durch Affekt: – man sucht dieselbe gemeinhin, sehr irrhümlich, wie mich dünkt, in dem Defensiv-Gegenschlag, einer blossen Schutzmaassregel der Reaktion, einer ‘Reflexbewegung’ im Falle irgend einer plötzlichen Schädigung und Gefährdung, von der Art, wie sie ein Frosch ohne Kopf noch vollzieht, um eine ätzende Säure loszuwerden. Aber die Verschiedenheit ist fundamental: im Einen Falle will man weiteres Beschädigtwerden hindern, im anderen Falle will man einen quälenden, heimlichen, unerträglich-werdenden Schmerz durch eine heftigere Emotion irgend welcher Art betäuben und für den Augenblick wenigstens aus dem Bewusstsein schaffen (*GM* III 15, KSA 5.374).

Slave morality thus develops – to pick up the economical vocabulary from chapter three again – as a kind of compensational strategy against the power of the masters. The masters are of course the founders of society<sup>144</sup> and as such hold sway over almost everything, even the common language bears the traces of the original legislator: ‘Das Herrenrecht, Namen zu geben, geht so weit, dass man sich erlauben sollte, den Ursprung der Sprache selbst als Machtäusserung der Herrschenden zu fassen: sie sagen ‘das ist das und das’ sie siegeln jegliches Ding und Geschehen mit einem Laute ab und nehmen es dadurch gleichsam in Besitz’. (*GM* I 2, KSA 5.260). The reactive spirit can thus be defined as the opposite of a tragic one in that what is

---

<sup>144</sup> Due to Nietzsche’s ambivalence towards the concept of ‘civilization’, which he associates with ‘taming’ I hesitate to use the word here.



resented is fate itself, the fall of the cosmic dice or the cards that fate has dealt it. In this respect, *ressentiment* is different from mere resentment in that it is universal in scope. What is hated is not merely specific sources of fear and pain, such as the masters of *GM I*, but the world in general, including the perceived limitations of space, time and contingency. In other words, it is directed towards the general (unfair) order of things. This makes the slave's blame universal: his rage is directed towards the suffering that the very fact of existence generates.

Während alle vornehme Moral aus einem triumphirenden Ja-sagen zu sich selber herauswächst, sagt die Sklaven-Moral von vornherein Nein zu einem 'Ausserhalb', zu einem 'Anders', zu einem 'Nicht-selbst': und dies Nein ist ihre schöpferische That. Diese Umkehrung des werthesetzenden Blicks – diese nothwendige Richtung nach Aussen statt zurück auf sich selber – gehört eben zum Ressentiment: die Sklaven-Moral bedarf, um zu entstehen, immer zuerst einer Gegen- und Aussenwelt, sie bedarf, physiologisch gesprochen, äusserer Reize, um überhaupt zu agiren, – ihre Aktion ist von Grund aus Reaktion (*GM I* 10, KSA 5.270).

In order to repudiate the world as a whole, and so devalue the domain in which the masters find their strength, the slave must convince the master, and importantly, himself, that existence – and by implication strength – is guilty and that such guilt can be punished or avenged. This happens through the falsification not only of the nature of the master, but the totality of existence. An important strategy is the assignation of whatever he resents to a corrupt and corrupting realm that he names the 'phenomenal'. Keeping in ascetic form, this is contrasted to a 'truly' real domain that transcends the world of contingency altogether.

Judeo-Christian morality can be seen as a misinterpretation of morality on two accounts. First, in order to gain control over a world that is forever threatening to slip into chaos, the sufferer (inevitably the suffering *slave*) invents all sorts of philosophical concepts like 'essence' and 'free will' so that those who possess strength can be made to feel constitutively 'guilty' and yet still be able to choose to repudiate, albeit imperfectly, what they inevitably are. The favored ideal that determines these fictions is of course the ascetic ideal, which in its limiting form demands that the entirety of the phenomenal world be repudiated for the sake of a transcendent realm, be it God or Truth. With the aid of such fictions the slave finally gets *his* opportunity to despise and take his revenge upon his enemies 'in effigie

natürlich' (*GM I 10 KSA 5.271*). Once he has reached this stage, however, he not only hates his masters, but his own fate and the world in general – in effigy.

This brings us to the second instance of misinterpretation, the Judeo-Christian tradition misinterprets suffering as divine punishment:

und siehe da! Er bekommt einen Wink, er bekommt von seinem Zauberer, dem asketischen Priester, den ersten Wink über die 'Ursache' seines Leidens: er soll sie in sich suchen, in einer Schuld, in einem Stück Vergangenheit, er soll sein Leiden selbst als einen Stra fzustand verstehn... (*GM, 20*).

The priest is of course the instigator of the new system of evaluation. The priests, fallen from their former association with aristocracy, become dangerous:

Die Priester sind, wie bekannt, die bösesten Feinde – weshalb doch? Weil sie die ohnmächtigsten sind. Aus der Ohnmacht wächst bei ihnen der Hass in's Ungeheure und Unheimliche, in's Geistigste und Giftigste. Die ganz grossen Hasser in der Weltgeschichte sind immer Priester gewesen, auch die geistreichsten Hasser: – gegen den Geist der priesterlichen Rache kommt überhaupt aller übrige Geist kaum in Betracht. Die menschliche Geschichte wäre eine gar zu dumme Sache ohne den Geist, der von den Ohnmächtigen her in sie gekommen ist (*GM I 7, KSA 5.267*).

The priest's values are specifically designed to turn the strong against themselves in that all things related to health, vitality, growth, reproduction and flourishing are considered wicked. The strong, whose very existence is defined in these terms, now believes himself condemned to hell, unless he can turn away from these vicious elements of existence. The priest clearly *falsifies* the conditions of existence, but this is not Nietzsche's major charge. As we have seen in our discussion on perspectivism in the previous chapter, nothing *but* a falsification of the world is possible. The master thus 'falsifies' the world as much as the slaves, but in Nietzsche's opinion, the slave's 'sin' against reality is far graver:

Wenn die vornehme Werthungsweise sich vergreift und an der Realität versündigt, so geschieht dies in Bezug auf die Sphäre, welche ihr *nicht* genügend bekannt ist, ja gegen deren wirkliches Kennen sie sich spröde zur Wehre setzt: sie verkennt unter Umständen die von ihr verachtete Sphäre, die des gemeinen Mannes, des niedren Volks; andererseits erwäge man, dass jedenfalls der Affekt der Verachtung, des Herabblickens, des Überlegen-Blickens, gesetzt, dass er das Bild des Verachteten *fälscht*, bei weitem hinter

der Fälschung zurückbleiben wird, mit der der zurückgetretene Hass, die Rache des Ohnmächtigen sich an seinem Gegner – in effigie natürlich – vergreifen wird (*GMI* 10, KSA 5.271).

What makes the slaves' falsification despicable is that it falsifies something of high quality which deserves great respect. Against Tracy Strong, who argues that 'genealogy, as Nietzsche uses it, brackets the things themselves so as to be left only with the constituting human elements',<sup>145</sup> it is possible to argue that Nietzsche evaluates value systems by reference to an external rank order, and approves of the masters' value system because they conform better to it, and despises the slaves' because they promulgate lies about the said rank order. This would mean, as we have also seen in the previous chapter, that there are limits as to what forms perspectives can take. In this case, physical reality itself provides such a limit. There *is* such a thing as strength, which implies that even if man enjoys tremendous freedom as to the way he can interpret, there are aspects of the world to which he should remain faithful. In his famous parable on power in section thirteen of the first Essay, Nietzsche states:

Doch kommen wir zurück: das Problem vom andren Ursprung des 'Guten', vom Guten, wie ihn der Mensch des Ressentiment sich ausgedacht hat, verlangt nach seinem Abschluss. – Dass die Lämmer den grossen Raubvögeln gram sind, das befremdet nicht: nur liegt darin kein Grund, es den grossen Raubvögeln zu verargen, dass sie sich kleine Lämmer holen. Und wenn die Lämmer unter sich sagen 'diese Raubvögel sind böse; und wer so wenig als möglich ein Raubvogel ist, vielmehr deren Gegenstück, ein Lamm, – sollte der nicht gut sein?' so ist an dieser Aufrichtung eines Ideals Nichts auszusetzen, sei es auch, dass die Raubvögel dazu ein wenig spöttisch blacken werden und vielleicht sich sagen: „wir sind ihnen gar nicht gram, diesen guten Lämmern, wir lieben sie sogar: nichts ist schmackhafter als ein zartes Lamm' (*GMI* 13, KSA 5.279)

At the hand of this parable Nietzsche raises the following problem:

Von der Stärke verlangen, dass sie sich *nicht* als Stärke äussere, dass sie *nicht* ein Überwältigen-Wollen, ein Niederwerfen-Wollen, ein Herrwerden-Wollen, ein Durst nach Feinden und Widerständen und Triumphen sei, ist gerade so widersinnig als von der Schwäche verlangen, dass sie sich als Stärke äussere (*GMI* 13, KSA 5.279).

---

<sup>145</sup> Strong, T. *Nietzsche and the Politics of Transfiguration* Berkeley: University of California Press, 1975.

That this demand was carried out despite its obvious unreasonableness, makes it arguably the greatest revolution in moral history, one great act of legislation that would curb the act of legislation forever. A completely new moral outlook was required in order for resentment to become *ressentiment* and for slaves to develop the desire to escape their allotted role. This is an outlook according to which suffering and human inequality have become to a great degree unacceptable, and in which great expectations exist of ultimately overcoming these conditions. This implies a world picture with two distinct elements. In the first instance, there is the assumption that humans are in the essential respects *equal*, and that they should to this extent be treated as such. In the second instance there is the postulation that ultimate freedom from chance and necessity, and obviously, from the ‘undeserved’ suffering that arise from these features of the world is the supreme – and achievable – good. Furthermore, as we have noted in the introduction, since social roles now have no unchallengeable foundations and human beings have properties in common that is more important than mere luck or accident of birth, suffering has, after the triumph of the slaves, become *the Problem of Suffering*. The weak deceive themselves, however, if they think that the terms according to which justice is determined are set forever.

Ursprung der Rechte. – Die Rechte gehen zunächst auf Herkommen zurück, das Herkommen auf ein einmaliges Abkommen. Man war irgendwann einmal beiderseitig mit den Folgen des getroffenen Abkommens zufrieden und wiederum zu träge, um es förmlich zu erneuern; so lebte man fort, wie wenn es immer erneuert worden wäre, und allmählich, als die Vergessenheit ihre Nebel über den Ursprung breitete, glaubte man einen heiligen, unverrückbaren Zustand zu haben, auf dem jedes Geschlecht weiterbauen müsse. Das Herkommen war jetzt Zwang, auch wenn es den Nutzen nicht mehr brachte, dessentwegen man ursprünglich das Abkommen gemacht hatte. – Die Schwachen haben hier ihre feste Burg zu allen Zeiten gefunden: sie neigen dahin, das einmalige Abkommen, die Gnadenerweisung, zu verewigen (*WS 39, KSA 2. 570*).

To conceive of justice as the recovery of an original fair order is *ressentiment* in action, testimony to the victory of slave morality over the values of the master class. It is a manifestation of the refusal to legislate, a testament to the hope that one day, the *hypokeimenon*, the hitherto obscured *true* order of things will manifest itself, which will provide independent justification of the slave’s *right* to hatred of his masters. Slave values, in dubbing the master evil, gives meaning to the misery of the frail.

Suffering is no longer seen as a meaningless result of random strength differences between humans, but instead as a result of the master's decision to violate God's Laws and be evil. The slaves' suffering is now not a meaningless fact of life, but the work of malevolent forces struggling against goodness and purity. The slave now experiences his pain as the eternal struggle between light and darkness or as Nietzsche puts it, between good and evil. Thus world as it is now has no right to be, it requires massive repair work if it is to contain even a hint of a just order. Man pays an enormous price for living like this.

Wie wenn im 'Guten' auch ein Rückgangssymptom läge, insgleichen eine Gefahr, eine Verführung, ein Gift, ein Narcoticum, durch das etwa die Gegenwart auf Kosten der Zukunft lebte? Vielleicht behaglicher, ungefährlicher, aber auch in kleinerem Stile, niedriger? (*GM* Vorrede, KSA 5. 253)

We see in *Menschliches, Allzumenschliches* I that the belief in an underlying moral world-order is one of the prime examples of the metaphysical comfort that has to be abandoned. The passage in question is yet another example of 'poetic justice', this time calcified into metaphysical form. This form of metaphysics can be described as an instance of the anthropic principle. Stephen Hawking summarizes this principle as 'Things are as they are because we are'.<sup>146</sup> It means that the world is interpreted as solely existing for *us*.

Aber im Grunde meint man, wenn jemand ehrlich an Etwas geglaubt und für seinen Glauben gekämpft hat und gestorben ist, wäre es doch gar zu unbillig, wenn eigentlich nur ein Irrthum ihn beseelt habe. So ein Vorgang scheint der ewigen Gerechtigkeit zu widersprechen; deshalb decretirt das Herz empfindender Menschen immer wieder gegen ihren Kopf den Satz: zwischen moralischen Handlungen und intellectuellen Einsichten muss durchaus ein nothwendiges Band sein. Es ist leider anders; denn es giebt keine ewige Gerechtigkeit (*MA* 53, KSA 2.73).

In *Morgenröte*, Nietzsche again remonstrates again against this equation between justice and morality. In this text he also points out that the belief in an eternal order of justice, whether as recompense for the 'fall into existence' *simpliciter* or as

---

<sup>146</sup> Hawking, S. *Black Holes and Baby Universes and other essays*. London: Bantam Books 1993, p. 45-46.

recompense for more particular acts of injustice or immorality, does more harm than good in that it raises untenable expectations such as the hope that man can one day be relieved of the burden of worldly situatedness. Against the logic of compensation, Nietzsche once again resurrects the *tragic* worldview:

*Der Wahn der sittlichen Weltordnung.* – Es giebt gar keine ewige Nothwendigkeit, welche orderte, dass jede Schuld gebüsst und bezahlt werde, – es war ein schrecklicher, zum kleinsten Theile nützlicher Wahn, dass es eine solche gebe –; ebenso wie es ein Wahn ist, dass Alles eine Schuld ist, was als solche gefühlt wird. Nicht die Dinge, sondern die Meinungen über Dinge, die es gar nicht giebt, haben die Menschen so verstört! (M 563, KSA 3.328).

One of the key issues in the slavish conception of justice is that it assumes the just position to imply *sameness*.<sup>147</sup> This is already an act of violence against strength, power and the unique. At several places, though, Nietzsche notes that justice, as the fair settling of disputes in terms of a mutual exchange without any loss to either party, assumes a position of ‘approximately equal power’. Equal power in this case means that both parties have the power to enforce their own evaluations upon the situation, and that there is a balance in the distribution of productive power. In contrast, Justice, understood as the possibility of mutual understanding, assumes that the selves in question were constituted by the *same* mode of evaluation. The form that justice (as an instance of the will to power) takes in this instance is a striving to produce uniform selves. This is supported by Nietzsche’s analysis of the origins of rights and duties in *Morgenröte* 112. Important for our purposes, Nietzsche notes that an economy of power can only come into being on the basis of a shared *belief*, and as we have seen, beliefs are products of legislation and power games.

*Unsere Pflichten* – das sind die Rechte Anderer auf uns. Wodurch haben sie diese erworben? Dadurch, dass sie uns für vertrags- und vergeltungsfähig nahmen, für gleich und ähnlich mit sich ansetzten, dass sie uns daraufhin Etwas anvertrauten, uns erzogen, zurechtwiesen, unterstützten. Wir erfüllen unsre Pflicht – das heisst: wir rechtfertigen jene Vorstellung von unserer Macht, auf welche hin uns Alles erwiesen wurde, wir geben zurück, in dem Maasse, als man uns gab. So ist es unser Stolz, der die Pflicht zu thun gebeut, – wir wollen unsre Selbstherrlichkeit wiederherstellen, wenn wir dem, was Andre für uns thaten, Etwas entgegenstellen, das wir für sie thun, – denn jene haben damit in die Sphäre unserer Macht eingegriffen und würden dauernd

---

<sup>147</sup> One is inevitably reminded here of John Rawls’s famous ‘veil of ignorance’.

ihre Hand in ihr haben, wenn wir nicht mit der ‘Pflicht’ eine Wiedervergeltung üben, das heist in ihre Macht eingreifen. Nur auf Das, was in unsrer Macht steht, können sich die Rechte Anderer beziehen; es wäre unvernünftig, wenn sie Etwas von uns wollten, das uns selber nicht gehört. Genauer muss man sagen: nur auf Das, was sie meinen, dass es in unserer Macht steht, voraussetzend, dass es das Selbe ist, von dem wir meinen, es stehe in unserer Macht. Es könnte leicht auf beiden Seiten der gleiche Irrthum sein: das Gefühl der Pflicht hängt daran, dass wir in Bezug auf den Umkreis unserer Macht den selben Glauben haben, wie die Anderen: nämlich dass wir bestimmte Dinge versprechen, uns zu ihnen verpflichten können (‘Freiheit des Willens’). (M 112, KSA 3.100).

A Hobbesian social contract thus depends upon on a shared belief in the similarity of the powers of the participants in the power sphere. This goes for the rights and duties of nations as well as individual human agents. While this conception of justice is inexorable in the modern liberal state (it can perhaps be termed a necessary evil) it is important to realize that our conception of justice does not have to *end* here. Whereas basic equality is for liberals (and Englishmen, shopkeepers etc.) a final end, it represents for Nietzsche but one *moment*, or one element in the play of worldly justice, and can therefore not be taken as a final ideal or the embodiment of virtue. An important part of Nietzsche’s deconstructive strategy *avant la lettre* is the hunting down of reductionisms. All metaphysical forms are reductions, a violation of unacknowledged elements and changes that occur over time. What makes apparent positions of ‘equality’ in the legal and political spheres interesting from a Nietzschean perspective, is that they are results of a long, usually unacknowledged struggle, the will to power at rest. Or to put it in more Nietzschean idiom, these temporary stable ‘platforms’ that occur from time to time is the will to power donning a calm and peaceful mask instead of presenting itself in its usual violent form. This means that the rule of law is the *exception* rather than the rule.

Man muss sich sogar noch etwas Bedenklicheres eingestehn: dass, vom höchsten biologischen Standpunkte aus, Rechtszustände immer nur Ausnahme-Zustände sein dürfen, als theilweise Restriktionen des eigentlichen Lebenswillens, der auf Macht aus ist, und sich dessen Gesamtzwecke als Einzelmittel unterordnend: nämlich als Mittel, grössere Macht-Einheiten zuschaffen (GM II, 11, KSA 5.313).

What is important to note here, is that while rights and duties exist only between equals,<sup>148</sup> positions or situations in which genuine equality exists are comparatively rare. It should also be noted that in these cases, justice is simply a *characteristic* of the relationships involved that manifests itself in the interactions of the parties involved; it is already there, it cannot be strived for. Instead, those who *demand* equality commit violence against the complexity of the world, and the operation of the greater cosmic justice, the will to power. Rousseau is a perfect example:

Ich hasse Rousseau noch in der Revolution: sie ist der welthistorische Ausdruck für diese Doppelheit von Idealist und canaille. Die blutige farce, mit der sich diese Revolution abspielte, ihre ‘Immoralität’, geht mich wenig an: was ich hasse, ist ihre Rousseau'sche *Moralität* – die sogenannten ‘Wahrheiten’ der Revolution, mit denen sie immer noch wirkt und alles Flache und Mittelmässige zu sich überredet. Die Lehre von der Gleichheit! ... Aber es giebt gar kein giftigeres Gift: denn sie *scheint* von der Gerechtigkeit selbst gepredigt, während sie das *Ende* der Gerechtigkeit ist ... ‘Den Gleichen Gleiches, den Ungleichen Ungleiches – *das* wäre die wahre Rede der Gerechtigkeit: und, was daraus folgt, Ungleiches niemals gleich machen.’ – Dass es um jene Lehre von der Gleichheit herum so schauerlich und blutig zugiebt, hat dieser ‘modernen Idee’ par excellence eine Art Glorie und Feuerschein gegeben, so dass die Revolution als *Schauspiel* auch die edelsten Geister verführt hat. Das ist zuletzt kein Grund, sie mehr zu achten. (*GD IX 48, KSA 6.150*).

Only rarely is it possible to speak of a genuine justice *inter pares* (*GM II 11*), that rare Homeric virtue that we have discussed in chapter one. Furthermore, to speak of ‘equality’ as an ideal is to deny at the same time the perspectival nature of our judgements, because the terms according to which ‘equality’ is determined is not only a slavish *perspective*, but set in terms of only a select *number* of slaves. Little wonder then, that Zarathustra distances himself so violently from this conception of justice:

Also rede ich zu euch im Gleichniss, die ihr die Seelen drehend macht, ihr Prediger der Gleichheit! Taranteln seid ihr mir und versteckte Rachsüchtige! Aber ich will eure Verstecke schon an's Licht bringen: darum lache ich euch in's Antlitz mein Gelächter der Höhe.  
Darum reisse ich an eurem Netze, dass eure Wuth euch aus eurer Lügen-Höhle locke, und eure Rache hervorspringe hinter eurem Wort ‘Gerechtigkeit.’ (*Z II, ‘Von den Taranteln’, KSA 4.128*).

---

<sup>148</sup> We have seen in chapter three that ‘justice’ originates in a position of equality.



To take equality as the *telos* for a just society, is strictly speaking, a contradiction in terms. The need for justice arose precisely because there *is* no such thing as ‘natural’ justice. ‘Nature’ is a complex network of radically unequal relationships that are for the most part maintained through violence. It cannot survive without violence and inequality – equality would entail stasis and eventually death. This is why it makes no sense to hold certain parties accountable for the circle of violence that *is* life.

#### 4. The Narrow Economy of the Subject

If slave morality has its origins in the perverse desire to bring the legislative dimension of human existence to an end, subjectivity is its chief symptom. At the root of Nietzsche’s critique of the subject are two fundamental issues, namely the origin of consciousness and the nature of human agency. As early as *Die Geburt der Tragödie* in which, as we have seen, the origin of the aesthetic experience can be traced back to the conflict between the Dionysian instinct towards self-negation and the Apollonian drive towards preservation of subjective autonomy. In *Morgenröte* 116 Nietzsche devotes a long section to the problem of indeterminacy at the heart of the subject:

Die unbekannte Welt des ‘Subjects’. – Das, was den Menschen so schwer zu begreifen fällt, ist ihre Unwissenheit über sich selber, von den ältesten Zeiten bis jetzt! Nicht nur in Bezug auf gut und böse, sondern in Bezug auf viel Wesentlicheres! Noch immer lebt der uralte Wahn, dass man wisse, ganz genau wisse, wie das menschliche Handeln zu Stande komme, in jedem Falle. Nicht nur ‘Gott, der in's Herz sieht’, nicht nur der Thäter, der seine That überlegt, – nein, auch jeder Andere zweifelt nicht, das Wesentliche im Vorgange der Handlung jedes Andern zu verstehen. ‘Ich weiss, was ich will, was ich gethan habe, ich bin frei und verantwortlich dafür, ich mache den Andern verantwortlich, ich kann alle sittlichen Möglichkeiten und alle inneren Bewegungen, die es vor einer Handlung giebt, beim Namen nennen; ihr mögt handeln, wie ihr wollt, – ich verstehe darin mich und euch Alle!’ – so dachte ehemals Jeder, so denkt fast noch Jeder (*Morgenröte* 116, KSA 3. 108).

There is a clear parallel with the emphasis on the metaphoric leaps that occur between physiological perceptions, their registering in consciousness and their eventual expression in language that is the subject matter of *Ueber Wahrheit und Lüge im aussermoralischen Sinne*. Now, a further leap is indicated, namely between cognition

and moral agency. The phenomenal inner world is a manifold of various affects of different orders, and the relationship between cognition and volition is highly mediated and obscure. Zarathustra forcefully declares that ‘Ihr habt den Weg vom Wurm zum Menschen gemacht, und Vieles ist in euch noch Wurm’ (Z Vorrede 3, 4.14). The subject is however more than a mere discursive fiction. This is clear from Nietzsche’s distinction between the historicity of consciousness and his recognition of the subject as a problematic existent in modernity. While Nietzsche’s attack on the Cartesian notion of the subject is aimed at the deluded belief in the grammar of subjective agency, it also sets an expanded notion of the self in which the body plays an important part in informing cognitive and ethical activity against the metaphysical conception of the self. True to his general interpretative stance, Nietzsche does not regard conscious subjectivity as an anterior entity that was ‘discovered’ at some point in the history of the West. Instead, his outline of the origins of the subject shows both that it is an emergent phenomenon and that it bears the traces of the various historical practices that produced it. Key among these practices is the process of moralization, the process by which the legal concepts of duty, obligation, guilt, law, and justice, which appeared first in distinct material contexts, became *moral*.

The evolution of the bad conscience is at once a dangerous and a promising phenomenon, because it contains ambiguous possibilities. As we have seen in chapter three, the bad conscience does not automatically translate into moral terms. Nietzsche describes it at once as ‘Das ‘schlechte Gewissen’, diese unheimlichste und interessanteste Pflanze’ (GM II 14, KSA 5.318), and ‘die tiefe Erkrankung, welcher der Mensch unter dem Druck jener gründlichsten aller Veränderungen verfallen musste’ (GM II 16, KSA 5.321). The bad conscience results from the demands placed upon the individual during the socialization process, especially the curbing of the ‘masterly’ passions, like ‘[d]ie Feindschaft, die Grausamkeit, die Lust an der Verfolgung, am Überfall, am Wechsel, an der Zerstörung – Alles das gegen die Inhaber solcher Instinkte sich wendend: das ist der Ursprung des ‘schlechten Gewissens’. The socialization of man leads to inwardness for two reasons: in order to enjoy what society offers, man needs to become calculable and gentle (GM II 2). Such calculability demands, as we have seen, the ability to guarantee one’s promises, to respect justice and the rules of contracts, especially the duty to make payments in kind, such as punishments in its many forms. In other words, to participate in what is

basically a debtor-creditor relationship, one must first master the outward-straining instincts with its potential for conflict with the rest of society.

Ich glaube, dass niemals auf Erden ein solches Elends-Gefühl, ein solches bleiernes Missbehagen dagewesen ist, – und dabei hatten jene alten Instinkte nicht mit Einem Male aufgehört, ihre Forderungen zu stellen! Nur war es schwer und selten möglich, ihnen zu Willen zu sein: in der Hauptsache mussten sie sich neue und gleichsam unterirdische Befriedigungen suchen (*GM II 16, KSA 5.323*).

The burden of self-consciousness lies in the fact that, merely by being a *potentially* guilty debtor to society, the newly self-conscious individual has become a liability towards himself. No longer able to discharge his instincts externally, the warrior becomes a *clerk*, forever weighing and measuring himself against the standards of society. These unfortunate creatures ‘waren auf Denken, Schliessen, Berechnen, Combiniren von Ursachen und Wirkungen reduziert, diese Unglücklichen, auf ihr ‘Bewusstsein’, auf ihr ärmlichstes und fehlgreifendstes Organ!’ (*GM II 16, KSA 5.322*). For reasons of clarification, it must be noted here that ‘*schlechtes Gewissen*’ is definitely translated as bad *conscience*, and not as it is sometimes rendered, ‘consciousness’. As can clearly be seen in the extract quoted, when Nietzsche refers to the latter concept, he uses the word ‘Bewusstsein’.

The moralization of the bad conscience occurs when it becomes a *total* phenomenon. This happens when the relationship between debtor and creditor becomes internalized, or defined in terms of some putatively innate corruption of human nature (or ‘life’ or the ‘world’). Guilt now becomes so absolute, its economy so narrow that there is no hope of ever discharging the debts incurred. On top of that, new debts are continuously added. It becomes a weapon in the hands of the decadent priests who use it to explain the recalcitrance of one’s base or animal nature and the pain involved in the necessary effort to tame it. Debt now becomes part of the human condition, in the form of ‘sin’.

Und nun wird man den Aspekt dieses neuen Kranken, ‘des Sünders’, für ein paar Jahrtausende nicht los, – wird man ihn je wieder los? – wohin man nur sieht, überall der hypnotische Blick des Sünders, der sich immer in der Einen Richtung bewegt (in der Richtung auf ‘Schuld’, als der einzigen Leidens-Causalität) (*GM III 20, KSA 5.390*).

What were before single failures on the part of the individual to pay – a number of bad *deeds* – are now consolidated as constitutive of the individual's identity. He *is* guilt itself, or in the priest's terms, a sinner. Guilt is now pushed back to become a permanent resident in the mind, and it permeates every aspect of culture:

[D]enke man dabei nun an die *causa prima* des Menschen, an den Anfang des menschlichen Geschlechts, an seinen Ahnherrn, der nunmehr mit einem Fluche behaftet wird ('Adam', 'Erbsünde', 'Unfreiheit des Willens') oder an die Natur, aus deren Schoss der Mensch entsteht und in die nunmehr das böse Princip hineingelegt wird ('Verteufelung der Natur') oder an das Dasein überhaupt, das als unwerth an sich übrig bleibt (nihilistische Abkehr von ihm, Verlangen in's Nichts oder Verlangen in seinen 'Gegensatz', in ein Anderssein, Buddhismus und Verwandtes) – bis wir mit Einem Male vor dem paradoxen und entsetzlichen Auskunftsmitglied stehn, an dem die gemarterte Menschheit eine zeitweilige Erleichterung gefunden hat, jenem Geniestreich des Christenthums: Gott selbst sich für die Schuld des Menschen opfernd, Gott selbst sich an sich selbst bezahlt machend, Gott als der Einzige, der vom Menschen ablösen kann, was für den Menschen selbst unablösbar geworden ist – der Gläubiger sich für seinen Schuldner opfernd, aus Liebe (sollte man's glauben? –), aus Liebe zu seinem Schuldner! (*GM II 16*, KSA 5.331).

Feelings of guilt may have had their origins in relationships between real debtors and creditors, but as guilt became moralized, the creditor tends to become more and more abstract: one can become a debtor towards any *ideal*.<sup>149</sup> This is why the death of God does not abolish the bad conscience. The creditor eventually becomes so abstract and general that it becomes identical to life itself – the ascetic ideal and the hatred of the world universalized.

Nietzsche's critique of the internalized, guilty subject is fuelled by a number of concerns, the most fundamental one perhaps the primacy of language. As we have seen in the previous chapter, concepts emerge through linguistic legislation, which means that language is a determinant of thought. Subjectivity can therefore not be analyzed without first returning to its linguistic origins. In *Die Fröhliche Wissenschaft* 354 he writes:

Kurz gesagt, die Entwicklung der Sprache und die Entwicklung des Bewusstseins (nicht der Vernunft, sondern allein des Sich-bewusst-werdens der Vernunft) gehen Hand in Hand. Man nehme hinzu, dass nicht nur die

<sup>149</sup> This is perhaps why modernist ideals such as the various utopian and Marxist ideals in the twentieth century, generated such fanaticism. Fanaticism (also in the contemporary form of religious fanaticism), could have its roots in a frustrated relationship with an imaginary creditor.

Sprache zur Brücke zwischen Mensch und Mensch dient, sondern auch der Blick, der Druck, die Gebärde; das Bewusstwerden unserer Sinneseindrücke bei uns selbst, die Kraft, sie fixieren zu können und gleichsam ausser uns zu stellen, hat in dem Maasse zugenommen, als die Nöthigung wuchs, sie Andern durch Zeichen zu übermitteln (*FW* 354, KSA 3.592).

It is clear that the specific target of Nietzsche's critique is the Cartesian notion of the self, together with its equally sickly cousin, the ethical subject of Judeo-Christian theology. Descartes' theory of cognition relies on a minimalist theory of the self as nothing but a *res cogitans*. In the famous second of his *Meditations on First Philosophy* Descartes concludes that 'I am, then, in the strict sense only a thing that thinks; that is, I am a mind or intelligence... a thinking thing'.<sup>150</sup> In the sixth *Meditation*, devoted to demonstrating the 'real' distinction between mind and body, he makes the even more radical statement that 'there is a great difference between mind and body, inasmuch as the body is by its very nature always divisible, whereas the mind is utterly indivisible... I am merely a thinking thing, something quite single and complete'.<sup>151</sup> This thinking being reached its apotheosis in the work of Kant and the freedom of the moral subject to act, or importantly for our purposes, *not* to act. As such, Descartes' *Cogito* begs more metaphysical questions than it solves.

Ebenso nämlich, wie das Volk den Blitz von seinem Leuchten trennt und letzteres als *Thun*, als Wirkung eines Subjekts nimmt, das Blitz heisst, so trennt die Volks-Moral auch die Stärke von den Äusserungen der Stärke ab, wie als ob es hinter dem Starken ein indifferentes Substrat gäbe, dem es *freistünde*, Stärke zu äussern oder auch nicht. Aber es giebt kein solches Substrat; es giebt kein 'Sein' hinter dem Thun, Wirken, Werden; 'der Thäter' ist zum Thun bloss hinzugedichtet, – das Thun ist Alles. Das Volk verdoppelt im Grunde das Thun, wenn es den Blitz leuchten lässt, das ist ein Thun-Thun: es setzt dasselbe Geschehen einmal als Ursache und dann noch einmal als deren Wirkung (*GM I* 13, KSA 5.279).

Thus, far from offering an Archimedian point, Nietzsche unmasks subjectivity as being but a grammatical inference. It was faith in the structure of the subject and the predicate that inspired Descartes' certainty that 'I' is the subject of 'think', whereas it could also be stated as 'the thoughts came to me'. Faith in grammar thus conveys the desire to be the 'cause' of one's thoughts. The 'self', 'the subject', and the

<sup>150</sup> Descartes, R. *The Philosophical Writings of Descartes Volume II*, Translated by John Cottingham. Cambridge: Cambridge University Press p. 18.

<sup>151</sup> Descartes, R. *ibid*, p. 59.

‘individual’ are thus mere metaphysical fictions, and have at their genesis only a linguistic reality. In particular, the ‘self’ brought into being with the will to power has now, especially through Nietzsche’s French afterlife, been proven a mere illusion insofar as underlying unity, permanent centre, or source of decision is concerned. Consciousness is thus a complex web of interrelated emotional and cognitive dispositions to habitual ways of acting in the world.<sup>152</sup> Nietzsche can almost be said to adopt a quasi-behaviorist stance according to which ascriptions of conscious intention preceding acts can be seen as symptoms of an unwarranted reliance upon cause and effect.

Nietzsche is interested above all in the value judgments implied by such ascriptions of intention and by the fact that they have a history. It is precisely the emphasis on this aspect which prevents him from committing the essentialisms of many of the postmodern anti-metaphysicians like Deleuze, Derrida and to a lesser extent Foucault, who end up positing a concept with almost the same characteristics that they sought to defeat. While Derrida, for example, rejects any notion of a spontaneous ego, preferring a self mediated by the medium of language, his concepts of *écriture* and *differance* is very similar to the spontaneity of the classic subject that he criticizes. Nietzsche’s conception of the self, in my opinion, is superior to that of his postmodern heirs, because he leaves room for *action*. At first, his notion of the self may appear to be very similar to that of his twentieth century followers in that it is only a given inasmuch as it is constituted by the web of contingent relations produced by the interpreting will to power. It clearly does not have any necessary essence which may be said to exist independently of the interpretive process of which it is a result. Nevertheless, this self is fully enmeshed within the web of relations that is the world and fulfills specific functions and actions within that web. It is as real as the interpretative fabric of the world, and manifests itself through its actions and deeds. Similar to the concept of ‘knowledge’ itself, which definitely exists, though not in the traditional Cartesian-Lockean sense of the word, so too, the self has been viewed through a distorting glass which has produced a self-negating and oppressive model of subjectivity and a meager and oppressive sense of justice.

It is far more accurate to suggest that the self and the individual hide complexities, a plurality of forces in conflict. We are a plurality that imagined itself as

---

<sup>152</sup> See for example GD III 5, and GD VI, 3.

singularity, a multiplicity of impulses that have provided themselves with an arbitrary coherent centre. For Nietzsche, as well as later for Freud, the subject is not a centered unity, but a complex of agencies constituted by the play of unconscious drives. Althusser agrees: ‘The Ego, formerly the sole seat of consciousness, itself in large part unconscious, fully participant in the conflict of unconscious repression in which the agencies are constituted’<sup>153</sup>. Rationalism, and indeed subjective consciousness, is viewed as the consequence rather than the cause of metaphysics. The subject is multiplicity .

By separating the actor from his deed, the slave, or reactive man is able to convince himself that action and identity are fundamentally separable. This is an immensely comforting thought: it enables the reactive man to see his inability to act, his cowardice, as a choice, rather than as constitutive of who he is. This is, of course, as Simon May<sup>154</sup> points out, also a strategy for alleviating guilt. If the deed is doubled into a doer and the deed that he does, then the possibility for forgiveness is also doubled: firstly for willing the deed (‘intent’) and secondly for doing it. This offers the further possibility for forgiveness even when the deed is condemned. ‘Free’ will also makes the idea of guilt more bearable in that it holds out a possibility for ‘willing’ a change in behavior, and by so doing reducing the debt to a creditor.

Nietzsche’s criticism would not be so severe, however, if the slave’s self-deception remained merely a comforting thought. However, ‘Der Sklavenaufstand in der Moral beginnt damit, dass das *Ressentiment* selbst schöpferisch wird und Werthe gebiert: das *Ressentiment* solcher Wesen, denen die eigentliche Reaktion, die der That versagt ist, die sich nur durch eine imaginäre Rache schadlos halten’ (*GM I 10*, KSA 5.270). The assignment of agency allows those who suffer to locate the source of their suffering, and the attribution of responsibility directs the misery and animus of those who suffer to those allegedly responsible for their suffering in the form of *ressentiment* thinly veiled as blame. Thus while every sufferer naturally looks for the source of his suffering, in the Judeo-Christian tradition the sufferer specifically looks for a *guilty* culprit upon whom he can vent his emotions.

At crucial points then, Nietzsche's argument depends on the distinction between doer and deed that he claims in section thirteen of the Genealogy to be a

---

<sup>153</sup> Althusser, L. *Writings on Psychoanalysis*. Columbia: Columbia University Press, 1996, p. 120-121.

<sup>154</sup> May, S. *Nietzsche's Ethics and his War on Morality*. Oxford: Clarendon Press, 1999, p. 58.

harmful and absurd invention of the slaves. Consider the following extracts from section 10:

Die‘Wohlgeborenen’ fühlten sich eben als die ‘Glücklichen’ sie hatten ihr Glück nicht erst durch einen Blick auf ihre Feinde künstlich zu construiren, unter Umständen einzureden, einzulügen (wie es alle Menschen des Ressentiment zu thun pflegen); und ebenfalls wussten sie, als volle, mit Kraft überladene, folglich nothwendig aktive Menschen, von dem Glück das Handeln nicht abzutrennen, – das Thätigsein wird bei ihnen mit Nothwendigkeit in's Glück hineingerechnet (woher eu prattein seine Herkunft nimmt) (*GMI* 10, *KSA* 5.272).

Seine Feinde, seine Unfälle, seine Unthaten selbst nicht lange ernst nehmen können – das ist das Zeichen starker voller Naturen, in denen ein Überschuss plastischer, nachbildender, ausheilender, auch vergessen machender Kraft ist (ein gutes Beispiel dafür aus der modernen Welt ist Mirabeau, welcher kein Gedächtniss für Insulte und Niederträchtigkeiten hatte, die man an ihm begieng, und der nur deshalb nicht vergeben konnte, weil er – vergass). Ein solcher Mensch schüttelt eben viel Gewürm mit Einem Ruck von sich, das sich bei Anderen ingräbt; hier allein ist auch das möglich, gesetzt, dass es überhaupt auf Erden möglich ist – die eigentliche ‘Liebe zu seinen Feinden’. Wie viel Ehrfurcht vor seinen Feinden hat schon ein vornehmer Mensch! – und eine solche Ehrfurcht ist schon eine Brücke zur Liebe... (*GMI* 10, *KSA* 5.273).

Berkowitz<sup>155</sup> holds this to be the weakest element of Nietzsche’s argument. For him, the analogy between lightning flashes and strong human beings is not a sound one. The distinction between ‘true’ and ‘false’ reactions or deeds and imaginary revenge of the slave revolt implies that the slave can be separated and blamed for his deed. Furthermore, the knowledge typical of the noble mode of valuation – that happiness should not be sundered from action – suggests that ‘the character of action is in part under the control of agents inasmuch as action may be ill-advisedly sundered from happiness’.<sup>156</sup> Importantly, Berkowitz ascribes a distinction between doer and deed to Nietzsche too, because he continues to honor the nobles for their nobility despite their humiliating defeat, and separates the slaves from their deeds by blaming them for immobilizing the nobler types through their stratagems: ‘If there were no ‘being’ behind doing, if the deed were everything, it would be just as absurd for Nietzsche to

<sup>155</sup> Berkowitz, P. *Nietzsche: The Ethics of an Immoralist*. Cambridge: (Mass.) Harvard University Press, 1995, p. 79.

<sup>156</sup> Berkowitz, P. *ibid.* p. 80.



condemn the lambs for disarming and taming the birds of prey, as it was, on his account, for the lambs to condemn the birds of prey'.<sup>157</sup> It would thus be equally legitimate to blame Nietzsche for 'succumbing to the seduction of language' as it is for Nietzsche to blame European man for succumbing to this debilitating disease. Nietzsche, however, does not so much blame the slaves as *lament* their victory. He does not hold the slaves accountable for promulgating slave morality, but merely ascribes it to them, and characterizes this development as a domestication of man and a debasing of culture. It is also not even so much the victory of the slaves itself that Nietzsche detests, but that this victory is celebrated *as* victory, and so complete a victory that it managed to set the rules for victory for the past two thousand years. It is not the slaves themselves that Nietzsche seeks to replace, as their criteria for judging strength. Not only has traditional moral paradigms, all language and all systems of valuation been shown to be palimpsests of interpretation, but furthermore, they are no longer viable. In the name of morality itself, that demands honesty, morality itself must be denied. The realization that our values lack transcendent authority, holds open the possibility for freedom, for if the values that have now become impotent are but human creations, they can be created anew.

If the grammatical subject dissolves upon closer scrutiny, the moral-legal one is bound to follow the same route. In *Morgenröte* 148 Nietzsche deals with the question of free will and the virtue of altruism in one fell swoop:

Ausblick in die Ferne. – Sind nur die Handlungen moralisch, wie man wohl definiert hat, welche um des Anderen willen und nur um seinetwillen gethan werden, so giebt es keine moralischen Handlungen! Sind nur die Handlungen moralisch – wie eine andere Definition lautet –, welche in Freiheit des Willens gethan werden, so giebt es ebenfalls keine moralischen Handlungen! – Und was ist also Das, was man so nennt und das doch jedenfalls existirt und erklärt sein will? Es sind die Wirkungen einiger intellectueller Fehlgriffe. – Und gesetzt, man machte sich von diesen Irrthümern frei, was würde aus den 'moralischen Handlungen'? – Vermöge dieser Irrthümer theilten wir bisher einigen Handlungen einen höheren Werth zu, als sie haben: wir trennten sie von den 'egoistischen' und den 'unfreien' Handlungen ab. Wenn wir sie jetzt diesen wieder zuordnen, wie wir thun müssen, so verringern wir gewiss ihren Werth (ihr Werthgefühl), und zwar unter das billige Maass hinab, weil die 'egoistischen' und 'unfreien' Handlungen bisher zu niedrig geschätzt wurden, auf Grund jener angeblichen tiefsten und innerlichsten Verschiedenheit. – So werden gerade sie von jetzt ab weniger oft gethan werden, weil sie von nun an weniger geschätzt werden? – Unvermeidlich! Wenigstens für eine gute

---

<sup>157</sup> Berkowitz, P. *ibid.* p. 81.

Zeit, so lange die Wage des Werthgefühls unter der Reaction früherer Fehler steht! (*Morgenröte* 148, KSA 3.139).

Nietzsche's particular scorn is reserved for the concept of free will, derived from the ascetic ideal. According to Nietzsche, the notion of free will is not only incorrect in the epistemological sense of the word, it is inherently *ridiculous*. Man is the only animal who self-righteously imagines himself above natural necessity, above the flux of events which ultimately culminates, as we have seen, in a dream of existence above tragedy. Nietzsche prefers a conception of the free person as one who is able to master himself through a sufficiently strong set of dominant drives. We are determined, but not inflexibly so. It is our *complexity*, the fact that we consist of an infinite number of drives which precludes the possibility of rigid determinism that is at the heart of our freedom, not a 'will'. Furthermore, his metaphysics of flux does not allow for something as crude and metaphysical as the human 'will'. For our purposes, it is important to note that Nietzsche's response is framed in a direct rejection of the Kantian doctrine of 'intelligible freedom'. This in turn yields Nietzsche's doctrine of *Unverantwortlichkeit* or unaccountability, which is a precursor to his notion of 'innocence of becoming' and a gateway to his tragic freedom. Free will must be an *a priori* element of the moral-legal subject. However, as Nietzsche demonstrates, volition is not necessarily a primary, but a secondary quality that arises from the interpretation of a specific situation.

Schopenhauer, mit seiner Annahme, dass Alles, was da sei, nur etwas Wollendes sei, hat eine uralte Mythologie auf den Thron gehoben; er scheint nie eine Analyse des Willens versucht zu haben, weil er an die Einfachheit und Unmittelbarkeit alles Wollens glaubte, gleich Jedermann: – während Wollen nur ein so gut eingespielter Mechanismus ist, dass er beobachtenden Auge fast entläuft. Ihm gegenüber stelle ich diese Sätze auf: erstens, damit Wille entstehe, ist eine Vorstellung von Lust und Unlust nöthig. Zweitens: dass ein heftiger Reiz als Lust oder Unlust empfunden werde, das ist die Sache des interpretirenden Intellects, der freilich zumeist dabei uns unbewusst arbeitet; und ein und derselbe Reiz kann als Lust oder Unlust interpretirt werden. Drittens: nur bei den intellectuellen Wesen giebt es Lust, Unlust und Wille; die ungeheure Mehrzahl der Organismen hat Nichts davon (*FW* 127, KSA 3.483).

The intellect, as a secondary function of organic life, is inextricably linked to the organic functions of the body. Seen in this light, the metaphysics of the mind-body duality is untenable. So is a crude reductive materialism, however. Nietzsche is concerned with re-evaluating the traditional relationship between mind and body, which necessitates the suspension of the traditional relationship between the two. Making definite statements about the body is an almost impossible task. As we have seen in the previous chapter, the selection of impressions that we label for convenience's sake under the label 'body' is already a *product* of legislation, and at the same time, the body is a *participant* in the process of interpreting the world. Mental acts are not merely neuro-physiological activity and the mind not merely a collection of neural pathways. Just as mental functions can be seen to originate in physiological impulses, so neural stimuli have to be interpreted by an intellect to be recognized as such. It is only through interpretation that these stimuli can acquire the *quality* of mental processes. To quote an extract from Nietzsche's most famous discourses on the body:

Den Verächtern des Leibes will ich mein Wort sagen. Nicht umlernen und umlehren sollen sie mir, sondern nur ihrem eignen Leibe Lebewohl sagen – und also stumm werden.

'Leib bin ich und Seele' – so redet das Kind. Und warum sollte man nicht wie die Kinder reden?

Aber der Erwachte, der Wissende sagt: Leib bin ich ganz und gar, und Nichts ausserdem; und Seele ist nur ein Wort für ein Etwas am Leibe.

Der Leib ist eine grosse Vernunft, eine Vielheit mit Einem Sinne, ein Krieg und ein Frieden, eine Heerde und ein Hirt.

Werkzeug deines Leibes ist auch deine kleine Vernunft, mein Bruder, die du 'Geist' nennst, ein kleines Werk- und Spielzeug deiner grossen Vernunft.

'Ich' sagst du und bist stolz auf diess Wort. Aber das Grössere ist, woran du nicht glauben willst, – dein Leib und seine grosse, Vernunft: die sagt nicht Ich, aber thut Ich (ZI 'Von den Verächtern des Leibes', KSA 4.39).

The body itself has its own form of intentionality, and as such Nietzsche is reluctant to ascribe all intentional behavior to a single rational intellect. He even goes as far as to suggest that the boundary between chemical and organic processes can be problematized, as in both spheres there occurs something that can be interpreted as 'intentional'. On this account he refers to the will to power as operative in both animate and inanimate events. The description of physical events in terms of intentional action is of course an example of metaphoric transfer, in which terms are

borrowed from one sphere to analyze phenomena in another, similar to the metaphoric transfer that occurs in the process of concept formation, as discussed in chapter three. Nietzsche's aim in employing such strategies is to open up the terms in the original context for critical analysis, and in this case in particular, he demonstrates the difficulty in making a definite distinction between the phenomenological and the physiological. If such a thing as an autonomous, inner self existed, it would have to *choose* to interpret stimuli in a particular way, and Zarathustra is explicit about the impossibility of this position.

Hinter deinen Gedanken und Gefühlen, mein Bruder, steht ein mächtiger Gebieter, ein unbekannter Weiser – der heisst Selbst.  
In deinem Leibe wohnt er, dein Leib ist er.  
Es ist mehr Vernunft in deinem Leibe, als in deiner besten Weisheit.  
Und wer weiss denn, wozu dein Leib gerade deine beste Weisheit nöthig hat?  
Dein Selbst lacht über dein Ich und seine stolzen Sprünge.  
'Was sind mir diese Sprünge und Flüge des Gedankens?' sagt es sich. 'Ein Umweg zu meinem Zwecke. Ich bin das Gängelband des Ich's und der Einbläser seiner Begriffe.'  
Das Selbst sagt zum Ich: 'hier fühle Schmerz!' Und da leidet es und denkt nach, wie es nicht mehr leide – und dazu eben soll es denken.  
Das Selbst sagt zum Ich: 'hier fühle Lust!' Da freut es sich und denkt nach, wie es noch oft sich freue – und dazu eben soll es denken (Z I, 'Von den Verächtern des Leibes' KSA 4.39).

As we have seen in chapter three, Nietzsche shows that the ideal of autonomy is further undermined by the facticity of the human condition. Not a single individual has complete control over the environment in which he lives. Indeed, they find a world which is always already there, which has shaped the way they are, created the perspective within which they live to such an extent that the notions of guilt and responsibility so central to the Judeo-Christian worldview seem at best irrelevant.

Was kann allein unsre Lehre sein? – Dass Niemand dem Menschen seine Eigenschaften giebt, weder Gott, noch die Gesellschaft, noch seine Eltern und Vorfahren, noch er selbst (– der Unsinn der hier zuletzt abgelehnten Vorstellung ist als 'intelligible Freiheit' von Kant, vielleicht auch schon von Plato gelehrt worden). Niemand ist dafür verantwortlich, dass er überhaupt da ist, dass er so und so beschaffen ist, dass er unter diesen Umständen, in dieser Umgebung ist. Die Fatalität seines Wesens ist nicht herauszulösen aus der Fatalität alles dessen, was war und was sein wird (GD 'Die vier grossen Irrthümer', KSA 6.96).

The difficulty in making definitive statements about the body is matched by the difficulty in making judgments upon the various forms of punishment inflicted upon it. After giving his extended list of the reasons for punishment in section thirteen of the Second Essay of the *Genealogie*, Nietzsche concludes that none of these reasons suffices anymore: ‘ersichtlich ist die Strafe mit Nützlichkeiten aller Art überladen. Um so eher darf man von ihr eine vermeintliche Nützlichkeit in Abzug bringen, die allerdings im populären Bewusstsein als ihre wesentlichste gilt, – der Glaube an die Strafe, der heute aus mehreren Gründen wackelt, findet gerade an ihr immer noch seine Stütze’ (*GM* II 14, KSA 5.318). This trend continued; more than a century after Nietzsche’s death there are few topics that evoke such universal horror in liberal states as legalized cruelty. Edward Peters’ position sums up the standard liberal position. He remarks towards the end of his sombre history of *Torture*: ‘It may be possible to make torture disappear by making it effectively illegal, but it seems necessary to preserve the reason for making it illegal and dangerous - to preserve a notion of that *inner human dignity, common to us all*, that although not always so meticulously observed, is generally assumed in the public language, if not the unpublic actions, of most modern societies, and assumed, moreover, in a generally universal and democratic sense’.<sup>158</sup> The feminist critic Judith Sklar agrees, saying that cruelty should be regarded as the worst of vices.<sup>159</sup> A cursorily reading may suggest Nietzsche a close ally of the active Enlightenment tradition that seeks the abolition of pain as the key element in achieving a just society.

Zur neuen Erziehung des Menschengeschlechts. – Helft, ihr Hülfreichen und Wohlgesinnten, doch an dem Einen Werke mit, den Begriff der Strafe, der die ganze Welt überwuchert hat, aus ihr zu entfernen! Es giebt kein böseres Unkraut! Nicht nur in die Folgen unserer Handlungsweisen hat man ihn gelegt – und wie schrecklich und vernunftwidrig ist schon diess, Ursache und Wirkung als Ursache und Strafe zu verstehen! (*M* 13, KSA 3.26).

But with Nietzsche, of course, nothing is ever that simple. He does not have a simplistic humanitarianism in aim here. Nietzsche opposes punishment because it *moralizes* cruelty. Cruelty in its non-moralized form, has its place. It is in itself neither good nor bad, its meaning depending purely on the purposes it serves. For Nietzsche, the primary end towards which cruelty must be exercised is the pursuit of

---

<sup>158</sup> Peters, E. *Torture*. Oxford: Oxford University Press 1984, p. 68.

<sup>159</sup> Sklar, J. *Ordinary Vices*. Cambridge: Cambridge University Press, 1984, p. 127.

human excellence. Punishment, however, puts it in a carefully regulated relationship of cause and effect, thereby imprisoning man as a legal subject. He continues in the same section:

– aber man hat mehr gethan und die ganze reine Zufälligkeit des Geschehens um ihre Unschuld gebracht, mit dieser verruchten Interpretationskunst des Straf-Begriffs. Ja, man hat die Tollheit so weit getrieben, die Existenz selber als Strafe empfinden zu heissen, – es ist, als ob die Phantasterei von Kerkermeistern und Henkern bisher die Erziehung des Menschengeschlechts geleitet hätte! (*M* 13, KSA 3.26).

Punishment is a double-edged sword: it is a symptom of moral subjectivity in that it assumes a simple causal relationship between meting out punishment and the subsequent ‘improvement’ of the individual. Punishment in this sense of the term was originally as much of a symptom of utopian desire as is the current move to abolish all forms of it. Behind every form of punishment, *hope* springs eternal: the hope that the right form of punishment, correctly applied, will transform both the perpetrator and society at large for the better. Punishment, like so many other vices, thus had its origin in a desire for purity, safety and regularity.

Denken wir aber gar an jene Jahrtausende vor der Geschichte des Menschen, so darf man unbedenklich urtheilen, dass gerade durch die Strafe die Entwicklung des Schuldgefühls am kräftigsten aufgehalten worden ist, – wenigstens in Hinsicht auf die Opfer, an denen sich die strafende Gewalt ausliess. Unterschätzen wir nämlich nicht, inwiefern der Verbrecher gerade durch den Anblick der gerichtlichen und vollziehenden Prozeduren selbst verhindert wird, seine That, die Art seiner Handlung, an sich als verwerflich zu empfinden: denn er sieht genau die gleiche Art von Handlungen im Dienst der Gerechtigkeit verübt und dann gut geheissen, mit gutem Gewissen verübt: also Spionage, Überlistung, Bestechung, Fallenstellen, die ganze knifflische und durchtriebne Polizisten- und Anklägerkunst, sodann das grundsätzliche, selbst nicht durch den Affekt entschuldigte Berauben, Überwältigen, Beschimpfen, Gefangennehmen, Foltern, Morden, wie es in den verschiedenen Arten der Strafe sich ausprägt, – Alles somit von seinen Richtern keineswegs an sich verworfene und verurtheilte Handlungen, sondern nur in einer gewissen Hinsicht und Nutzenanwendung (*GM* II 14, KSA 5.319).

It is harder to live in a fundamentally *innocent* world than one that can be subjected to the moral categories of guilt and innocence. In such a world, the standard of judgement is given and static. In contrast, an innocent world is, if not exactly a blank

page, a world in which standards of judgement are made by humans, and are therefore constantly being re-evaluated. It is also a world of *surfaces*; there are no ‘deep’ reasons behind the play of the world, no hidden plan, or just order. It is precisely for this reason that depth became the ‘dimension of obsession’ in the modern age. Nothing demands more of man than the blatant innocence of a world indifferent to its inhabitants.

Unverantwortlichkeit und Unschuld. – Die völlige Unverantwortlichkeit des Menschen für sein Handeln und sein Wesen ist der bitterste Tropfen, welchen der Erkennende schlucken muss, wenn er gewohnt war, in der Verantwortlichkeit und der Pflicht den Adelsbrief seines Menschenthums zu sehen. Alle seine Schätzungen, Auszeichnungen, Abneigungen sind dadurch entwerthet und falsch geworden: sein tiefstes Gefühl, das er dem Dulder, dem Helden entgegenbrachte, hat einem Irrthume gegolten; er darf nicht mehr loben, nicht tadeln, denn es ist ungereimt, die Natur und die Nothwendigkeit zu loben und zu tadeln. So wie er das gute Kunstwerk liebt, aber nicht lobt, weil es Nichts für sich selber kann, wie er vor der Pflanze steht, so muss er vor den Handlungen der Menschen, vor seinen eignen stehen (*MA* 107, KSA 2.104).

Nietzsche fought a metaphysical construction that had more than two thousand years to develop into a formidable fortress. The history of the subject is a long and complex one – not to mention painful – and we would do best to frame the rest of the discussion on the central essentialism of modernity by briefly referring to the work of Michel Foucault. The development of the subject and by implication, modernity, is tied to the production in knowledge of a new portrayal of human being: Man. According to Foucault he is but a recent invention, a fashion that did not exist before the end of the eighteenth century. Classical rationalism and Renaissance humanism were certainly able to allot human beings a privileged position in the order of the world, but they were not able to conceive of ‘Man’. In claiming man’s recent invention, Foucault is pointing to his modern epistemological identity as the ‘being such that knowledge will be attained in him that makes all other knowledge possible’.<sup>160</sup> Accordingly, man is both the difficult object of knowledge and the sovereign subject of knowing, a being whose nature is to know ‘nature and itself, in consequence, as a natural being’.<sup>161</sup> The birth of this new figure of man and his

---

<sup>160</sup> Foucault, M. *The Archaeology of Knowledge*. New York: Pantheon 1972, p. 318.

<sup>161</sup> Foucault, M. *ibid.* p. 318.

identity is determined by his modern constitution as the being who is describable as the one who ‘produces, who lives, and who speaks’.<sup>162</sup>

The proliferation of techniques of subjectification was largely linked to the problems generated by the rise of capitalism. As wealth was accumulated in increasing quantities in workhouses, factories and ports, it became increasingly necessary to replace the old system with its lack of definition and tolerated illegalities with something ‘more regular, more effective, more constant, and more detailed in its effects’.<sup>163</sup> Simultaneously, the increasing emphasis on productivity and growth required that the bodies of the workers be rendered disciplined and docile to maximize their utility and to integrate them in the rigid mechanized programs. Foucault calls the sum of these mechanisms, institutions, techniques, and discourses that developed to track, survey, regulate and constitute both individual and population (as well as making them more visible and productive) ‘bio-power’. The growing emphasis on achieving maximum utilization and control of life was accompanied by what Foucault has called ‘the art of light and the visible’.<sup>164</sup> He found that during the Classical age of modernity institutions began to be constructed with greater emphasis on the principle of visibility. Groups were organized in such a way as to facilitate inspection. The perfusion of the ‘general gaze’ was not enough – Foucault states that the threshold of visibility was lowered:

For a long time ordinary individuality remained below the threshold of description. The disciplinary methods lowered the threshold of describable individuality and made of this description a means of control and domination.<sup>165</sup>

Paradoxically, at the very same time that the power of normalization imposes homogeneity, the production of the individual becomes possible. Within an accepted range, the normalizing gaze identifies, separates, orders and thus helps to constitute differences, making possible the ‘continuous individualizing pyramid’.<sup>166</sup>

---

<sup>162</sup> Quoted by Bowie, L. *Modern Maladies*. Oxford: Clarendon Press, 1978, p, 29.

<sup>163</sup> Foucault, M. *Discipline and Punish: The birth of the prison*. Translated by A. M. Sheridan, New York: Vintage/Random House, 1979, p.39

<sup>164</sup> Foucault, M. *The Birth of the Clinic*. Translated by A. M. Sheridan. New York: Vintage/Random House, 1976.

<sup>165</sup> Foucault, M. *Discipline and Punish: The birth of the prison*. Translated by A. M. Sheridan, New York: Vintage/Random House, 1979, p. 191.

<sup>166</sup> Dreyfus, H. and Rabinow, P. *Michel Foucault: Beyond Structuralism and Hermeneutics*. Chicago: University of Chicago Press, 1983, p. 211.



Particularities are registered as deviations from the registered norms. The gaze manifests a relentless ‘will to truth’ that seeks to transform the atoms of bodies into objects of knowledge to be examined, classified, ordered around or excluded. Light, vision and visibility are never neutral components in this process. One of the most striking features of normalizing power is the role played by ‘mechanisms that coerces by means of observation’. Observation and illumination ensure the desired behavior. For this reason Foucault compares these techniques with ‘the telescope, the lens and the light beam’.<sup>167</sup> In a similar fashion the observatories of mankind – of which the Panopticon is the most infamous – made it possible to constitute human beings as objects of power. Foucault argues that with the rise of panoptic disciplinary power, it is no longer simply the deviation, visible error, or crime that is judged, but also the drives, instincts, passions, and desires that lurk beneath the visible: ‘these shadows *lurking behind the case itself*’ (my emphasis). The judgement of the disciplinary gaze is generally characterized by a depth dimension: it deciphers, compares, measures and analyzes all with a view to make visible. Rendering visible is a form of *taming*, which, for Nietzsche implies, as we have seen, internalization, an idea that in a post-Freudian age seems deceptively obvious.

Alle Instinkte, welche sich nicht nach Aussen entladen, wenden sich nach Innen – dies ist das, was ich die Verinnerlichung des Menschen nenne: damit wächst erst das an den Menschen heran, was man später seine ‘Seele’ nennt. Die ganze innere Welt, ursprünglich dünn wie zwischen zwei Häute eingespannt, ist in dem Maasse aus einander- und aufgegangen, hat Tiefe, Breite, Höhe bekommen, als die Entladung des Menschen nach Aussen gehemmt worden ist. Jene furchtbaren Bollwerke, mit denen sich die staatliche Organisation gegen die alten Instinkte der Freiheit schützte – die Strafen gehören vor Allem zu diesen Bollwerken – brachten zu Wege, dass alle jene Instinkte des wilden freien schweifenden Menschen sich rückwärts, sich gegen den Menschen selbst wandten’ (GM II 16, KSA 5.323).

Here Nietzsche links internalization with the emergence of the soul. The invention of the soul, as we have seen, divides the human animal, pushes back its instinct for freedom, and finally able to discharge and vent itself only on itself, the organism declares war on itself. Nietzsche describes the inner *agon* as follows:

---

<sup>167</sup> Dreyfus and Rabinow, *ibid.* p. 211.

Der Mensch, der sich, aus Mangel an äusseren Feinden und Widerständen, eingezwängt in eine drückende Enge und Regelmässigkeit der Sitte, ungeduldig selbst zerriss, verfolgte, annagte, aufstörte, misshandelte, dies an den Gitterstangen seines Käfigs sich wund stossende Thier, das man 'zähmen' will, dieser Entbehrende und vom Heimweh der Wüste Verzehrte, der aus sich selbst ein Abenteuer, eine Folterstätte, eine unsichere und gefährliche Wildniss schaffen musste – dieser Narr, dieser sehnsüchtige und verzweifelte Gefangne wurde der Erfinder des 'schlechten Gewissens'. Mit ihm aber war die grösste und unheimlichste Erkrankung eingeleitet, von welcher die Menschheit bis heute nicht genesen ist, das Leiden des Menschen am Menschen, an sich: als die Folge einer gewaltsamen Abtrennung von der thierischen Vergangenheit, eines Sprunges und Sturzes gleichsam in neue Lagen und Daseins-Bedingungen, einer Kriegserklärung gegen die alten Instinkte, auf denen bis dahin seine Kraft, Lust und Furchtbarkeit beruhte. Fügen wir sofort hinzu, dass andererseits mit der Thatsache einer gegen sich selbst gekehrten, gegen sich selbst Partei nehmenden Thierseele auf Erden etwas so Neues, Tiefes, Unerhörtes, Räthselhaftes, Widerspruchsvolles und Zukunftsvolles gegeben war, dass der Aspekt der Erde sich damit wesentlich veränderte (*GM II 16, KSA 5.323*).

In time, the human being, suing for peace, comes to swear allegiance to a new kind of psychological 'oligarchy' with regulation and pre-meditation kept at bay our 'underworld of utility organs' working with and against one another. With the aid of the morality of mores and the social straitjacket that accompanies it, the organism's oligarchy is kept in power, and man learns to be 'ashamed of his instincts'. Stifling his cruel and murderous impulses, he becomes calculable, regular, automatic [notwendig] even in his own self, a subject of civilized reason and morality.

However, the now more developed organism did not lose his impulses for cruelty. What might otherwise be inexplicable, the pleasure men have apparently taken in the pains that accompanied the process of learning to rule themselves, Nietzsche explains through the survival of internalized cruelty and the paradoxical mixture of pain and pleasure that characterizes it. The horrific oxymoron of self-torture becomes the key to interpret a number of intertwined phenomena in *The Genealogy of Morals*: the bad conscience, guilt, and above all, the asceticism of Christianity. The process of internalization cripples man's animal instincts, shared taboos make the exercise of the will to power difficult and sometimes even impossible. At the same time, in some rare souls, the masochistic pleasures of self-rule somehow strengthen the will to power in all its cruel splendour - the old animal instincts cultivated with foresight and transfigured through the use of memory, imagination and reason erupt in new forms of mastery:

Diese heimliche Selbst-Vergewaltigung, diese Künstler-Grausamkeit, diese Lust, sich selbst als einem schweren widerstrebenden leidenden Stoffe eine Form zu geben, einen Willen, eine Kritik, einen Widerspruch, eine Verachtung, ein Nein einzubrennen, diese unheimliche und entsetzlich-lustvolle Arbeit einer mit sich selbst willig-zwiespältigen Seele, welche sich leiden macht, aus Lust am Leidenmachen, dieses ganze aktivische ‘schlechte Gewissen’ hat zuletzt – man erräth es schon – als der eigentliche Mutterschooss idealer und imaginativer Ereignisse auch eine Fülle von neuer befremdlicher Schönheit und Bejahung an's Licht gebracht und vielleicht überhaupt erst die Schönheit... Was wäre denn ‘schön’, wenn nicht erst der Widerspruch sich selbst zum Bewusstsein gekommen wäre, wenn nicht erst das Hässliche zu sich selbst gesagt hätte: ‘ich bin hässlich’?... Zum Mindesten wird nach diesem Winke das Räthsel weniger räthselhaft sein, in wiefern in widersprüchlichen Begriffen, wie Selbstlosigkeit, Selbstverleugnung, Selbstopferung ein Ideal, eine Schönheit angedeutet sein kann; und Eins weiss man hinfort, ich zweifle nicht daran –, welcher Art nämlich von Anfang an die Lust ist, die der Selbstlose, der Sich-selbst-Verleugnende, Sich-selber-Opfernde empfindet: diese Lust gehört zur Grausamkeit. (*GM II 18, KSA 5.327*).

Like Nietzsche, Foucault finds the object of disciplinary power in the soul. Far from being a leftover from a more religious age, the soul acts as general referent to disciplinary power: that which is educated, trained, punished, normalized, and identified. It is codified and inhabits the body in which it is produced. The soul is the most supreme form of subjection, because it buries the effects of power deep within the flesh of the subject’s skin.<sup>168</sup> A form of power quite consonant with, though not identical to the deployment of the disciplinary gaze, the ‘deep self’ is driven by a hermeneutics of suspicion that delivers it to infinite depths, meaning behind meaning. In endless circles of self-reflection the modern self attempts to discern the deep truths hidden behind the surfaces of everyday existence. ‘For the disciplined man, however, no detail is unimportant, but not so much for the meaning that it conceals within it as for the hold it provides for the power it wishes to seize’. If the panopticon aims at pure light, then what one might call the *autopticon*, or the deep self, aims at an object that constantly moves beyond reach, at best a ‘dark shimmer’.<sup>169</sup> Because this is a truth that continually recedes with every gaze, it demands a confession that can never end. Regarding similarities between the strategy that produced the panopticon, and the one that produced the autopticon, it can be stated that both create a self that is related

<sup>168</sup> A theme that fascinated Franz Kafka. Cf. *In the Penal Colony*.

<sup>169</sup> Foucault, M. ‘The History of Sexuality’ in *Power/Knowledge: Selected Interviews 1972-1977*. Gordon, G. (ed). Brighton: Harvester, 1981, p. 150.

to itself through a colonized, codified and continuous self-reflection – a self-reflection that normalizes as it observes. This is done via self-definitions constituted by hegemonic discourses that make divisions between certain ‘desirable’ characteristics and those that are isolated as ‘undesirable’ or ‘other’. The conception of the self as deep-harboring hidden truths and secret circuitous causalities, which is tightly bound up with confessional strategies, serves to multiply disciplinary holds over the self. The overlap between the greater disciplinary strategies (this forms the main object of study in *Discipline and Punish*) and the more private self-discipline of the deep self (addressed, among others, in *About the Beginning of the Hermeneutics of the Self* at Dartmouth) appears as the background to *Madness and Civilization*. It is visible in the modern treatments of madness as evinced by the nineteenth century ‘moral methods’ which operated through ‘that psychological inwardness where modern man seeks both his depth and his truth’. With the birth of the asylum, guilt was used to produce a deeper and more detailed self-consciousness and responsibility. Foucault noted that our juridical practices have moved towards an examination of ‘the desires, drives and deep personal tendencies that lurk beneath the relevant acts’.<sup>170</sup> With practices like these, man himself became an interiorized courtroom, a figure constantly on trial, forever subject to some or other legal discourse. Where the stage once was, there the interior judge now ruled. Nietzsche saw it as his task to relate man to an ‘outside’ again, to turn the legal subject into an actor again. This would mean that even man’s relationship with time and the greater cosmic order would have to be re-invented, and that is what Nietzsche tried to do with his most mysterious concepts, *amor fati*, the eternal recurrence and the *Übermensch*.

---

<sup>170</sup> Dreyfus and Rabinow, *ibid.* p. 179.

## CHAPTER 5: THE RETURN OF THE TRAGIC

Lives of great men all remind us  
We can make our lives sublime,  
And departing, leave behind us  
Footprints on the sands of time  
Let us then, be up and doing,  
With a heart for any fate;  
Still achieving, still pursuing,  
Learn to labour and to wait.

*A Psalm of Life.* Henry Wadsworth Longfellow

### 1. Introduction: The Gift of Injustice

An unjust world is God's greatest gift to man.<sup>171</sup> Christianity – in both its religious and secular variants – is the consistent failure to take advantage of this fact, seeking instead 'die "Wahrheit": eine Welt, die nicht sich widerspricht, nicht täuscht, nicht wechselt, eine wahre Welt – eine Welt, in der man nicht leidet: Widerspruch, Täuschung, Wechsel – Ursachen des Leidens! Er zweifelt nicht, daß es eine Welt, wie sie sein soll, giebt; er möchte zu ihr sich den Weg suchen' (11393, *NL* 87-88 KSA 12.363)<sup>172</sup> Why indeed, asks Nietzsche, is the eternally-changing world not a source of joy, its injustice a challenge, and its unpredictability an inspiration for action? It is after all the chaos and measurelessness of an indifferent world order that allows man the opportunity to measure, differentiate and individuate: it is the fact that these aspects are not given that gives man, the artist-legislator, the chance to carve out a fully human world by giving form, law and measure (*peras*) to an originally lawless world. Just because there are no *eternal* laws, it does not mean that legislation is

---

<sup>171</sup> A reference to Alexander Pope's 'A just man is the noblest work of God' in *An Essay on Man*, and Samuel Butler's cynical retort, in the spirit of the age that saw the death of God, 'An honest God is the noblest work of man'. From the *Note Books*, edited by G. Keynes. London: Penguin, 1951.

<sup>172</sup> See also *Die Fröhliche Wissenschaft* 377, and aphorism 11463: Kritik des modernen Menschen (seine moralistische Verlogenheit) der christliche Staat 'der Gott der Heerscharen'; der christliche Geschlechtsbetrieb oder die Ehe das Reich der 'Gerechtigkeit'; der Cultus der 'Menschheit' die 'Freiheit' (*NL* 85-87, KSA 12.411).

pointless; on the contrary, the injustice of the world is a wonderful instance of generosity. It means that the liberating act of legislation will never be limited to a single individual, group or time, but that this privilege belongs to all men for all time, waiting to be seized by the strong. It is a mystery that this is cause for lament, and not for celebration. He continues in the same section cited above: ‘Warum leidet er gerade das Leiden von Wechsel, Täuschung, Widerspruch ab? und warum nicht vielmehr sein Glück? Die Verachtung, der Haß gegen Alles, was vergeht, wechselt, wandelt: — woher diese Werthung des Bleibenden?’ By offering as alternative to the liberal conception of justice as a kind of nihilistic escape mechanism, a resurrected form of *dikē*, or a form of justice based upon tragic optimism, Nietzsche attempts to answer just this question.

Die Erlösung von aller Schuld. Man spricht von der ‘tiefen Ungerechtigkeit’ des socialen Pakts: wie als ob die Thatsache, daß dieser unter günstigen, jener unter ungünstigen Verhältnissen geboren wird, von vornherein eine Ungerechtigkeit sei; oder gar schon, daß dieser mit diesen Eigenschaften, jener mit jenen geboren wird (Aphorism 12410, *NL* 87-89, *KSA* 13.422).

Instead of standing its ground in the face of earthly suffering and cosmic indifference by developing a robust aesthetics – after all, there is no form of revenge superior to that of living well – the Christian-modernist discourse sought to tame injustice by developing two important strategies. The first strategy is older than Christianity and consisted of, as we have seen in chapter one, by shrinking the cosmic law of talion to an economy of exchange that is more manageable from a human perspective. However, this economy generated its own particular brand of cruelty, for there is hardly anything more inhumane than having to live in a world where everything can and must be *paid* for:

Denken der älteren Menschheit eigenthümlich ist, langte man alsbald bei der grossen Verallgemeinerung an ‘jedes Ding hat ein Preis; Alles kann abgezahlt werden’ – dem ältesten und naivsten Moral-Kanon der Gerechtigkeit, dem Anfange aller ‘Gutmüthigkeit’, aller ‘Billigkeit’, alles ‘guten Willens’, aller ‘Objektivität’ auf Erden (*GM* II 8, *KSA* 5.305).<sup>173</sup>

---

<sup>173</sup> I have dealt with this question in chapter four and therefore include only a brief reference at this stage. The introduction contains a short re-statement of some of the most basic problems discussed in the thesis in order to address Nietzsche’s overcoming of them and the alternatives he posited. As a result, the introduction is a little longer than usual.

At the first level, justice is still ‘innocent’ and pre-moral, but it soon degenerates into the moral conceptual world characterized by guilt: ‘Und dürfte man nicht hinzufügen, dass jene Welt im Grunde einen gewissen Geruch von Blut und Folter niemals wieder ganz eingebüsst habe? (selbst beim alten Kant nicht: der kategorische Imperativ riecht nach Grausamkeit...)’ (*GM* II 8, KSA 5.300). This brings us to the second strategy, namely the development of the logic of salvation and redemption that offered, or rather, appeared to offer, an escape mechanism from a world marred by violent economies, pain and injustice. Salvation is the attempt to imagine that there is some other form of life for man to have, a life free from the pain and restrictions that accompany embodied existence. And not only embodied existence, but also redemption from the unpayable debt to God or ancestors. This was particularly true of the Jews:

*Im Gleichniss gesprochen.* – Ein Jesus Christus war nur in einer jüdischen Landschaft möglich – ich meine in einer solchen, über der fortwährend die düstere und erhabene Gewitterwolke des zürnenden Jehovah hieng. Hier allein wurde das seltene plötzliche Hindurchleuchten eines einzelnen Sonnenstrahls durch die grauenhafte allgemeine und andauernde Tag-Nacht wie ein Wunder der ‘Liebe’ empfunden, als der Strahl der unverdientesten ‘Gnade’ (*FW* 137, KSA 3.488).

Part of the allure of Christianity was the hope that the need for sacrifice would come to an end. According to Nietzsche, these are however profoundly damaging fantasies, because they are prompted by the idea that our physical and earthly existence is positively shameful. This is the nihilism of Christian soteriology – at the heart of the Christian worldview is a strong counter-factual that asserts that life is meaningful only if there exists a non-worldly realm that invests human lives with significance. Contrasting the Greek world with the Christian one, Nietzsche writes:

Das Christenthum dagegen zerdrückte und zerbrach den Menschen vollständig und versenkte ihn wie in tiefen Schlamm: in das Gefühl völliger Verworfenheit liess es dann mit Einem Male den Glanz eines göttlichen Erbarmens hineinleuchten, so dass der Ueberraschte, durch Gnade Betäubte, einen Schrei des Entzückens ausstieß und für einen Augenblick den ganzen Himmel in sich zu tragen glaubte (*MA* 114, KSA 2.118).

With the death of God, famously expressed by the madman of *Die Fröhliche Wissenschaft* 125 (a historical event for which Nietzsche claims no credit), its

underlying patterns of *ressentiment* are clearly exposed. Now without the hope expressed by Saint Paul in Romans 8:18 that ‘the sufferings of the present are not worth comparing with the glory that awaits us’, Western humanity faces a future unglossed by promises of future glory. For Nietzsche, this is an opportunity to recover a second innocence, a chance to find out whether man really does require redemption, whether human life can flourish unsupported by false intrusions of the divine. The window of opportunity was brief, however. Gods are like Hydras: no sooner does an old God die than a new one takes its place. Soon other metanarratives would take over: the most immediate successor was of course nationalism, but it would soon be followed by the even more unshakable faith in free market capitalism. Thus post-Christian cultures who have not come to terms with the roots of their Christian past tend to simply replace ‘God’ with something less theological-sounding, which, to add insult to injury, is even less culturally potent than the idea of God. Nietzsche’s message is less that there is no God than that the very idea that human life requires redemption, that there is a utopian condition to follow the present one, is false and ultimately degrading. This is why Nietzsche refuses to offer new idols. Man has to be redeemed from the need for redemption itself. He promises: ‘Das Letzte, was *ich* versprechen würde, wäre, die Menschheit zu ‘verbessern’. Von mir werden keine neuen Götzen aufgerichtet; die alten mögen lernen, was es mit thönernen Beinen auf sich hat. *Götzen* (mein Wort für ‘Ideale’) *umwerfen* – das gehört schon eher zu meinem Handwerk’ (*EH* Vorrede 2, KSA 6.257). In an important reading of Samuel Beckett’s *Endgame* Stanley Cavell joins this sentiment:

The greatest endgame is Eschatology, the idea that the last things on earth will have an order and a justification, a sense. That is what we hoped for, against hope, that is what salvation would look like. Now we are to know that salvation lies in reversing the story, in ending the story of the end, ending this world of order in order to reverse the curse of the world laid on it in its Judeo-Christian end. Only a life without hope, meaning, justification, waiting, solution – as we have been shaped by these things – is free from the curse of God.<sup>174</sup>

As we have seen throughout, Christianity re-defined cosmic justice in terms of an economy of compensation for the suffering its adherents had to endure on earth. Its

---

<sup>174</sup> Cavell, S. ‘Ending the Waiting Game’ in *Must We Mean what We Say? A Book of Essays*. Cambridge: Cambridge University Press, 1999, p.149.



narrative of salvation ensures that its legal vocabulary too, bears the stamp of finality: a Last Judgement, the salvation of the just and a final incarceration of the unjust in hell. Christianity turned justice into a *pathology*,<sup>175</sup> a quality completely alien to the human world. To capitulate entirely to those who seek release from pain, marks the end of a dignified existence, for it is precisely the desire to eliminate suffering at all costs and to make the minimization of suffering a fundamental dimension of one's evaluative scheme, which generates pathology. Pathology arises where there is no longer any possibility of discharging one's energies externally.

Der höhere Mensch unterscheidet sich von dem niederen in Hinsicht auf die Furchtlosigkeit und die Herausforderung des Unglücks: es ist ein Zeichen von Rückgang, wenn eudämonistische Werthmaße als oberste zu gelten anfangen ( – physiologische Ermüdung, Willens-Verarmung – ) Das Christenthum mit seiner Perspektive auf 'Seligkeit' ist eine typische Denkweise für eine leidende und verarmte Gattung Mensch: eine volle Kraft will schaffen, leiden, leidend untergehn: ihr ist das christliche Mucker-Heil eine schlechte Musik und hieratische Gebärden ein Verdruß (Aphorism 11841, *NL* 86-87 KSA 13.53).

This passage contains an important directive as to what Nietzsche's alternative conception of justice would amount to, namely a case of abundant vitality imposing limits upon itself, limits that it can afford to observe. Although Nietzsche's conception of justice is not identical to his notion of health, qualities associated with health, such as strength and abundance, are important traits of the kind of justice that Nietzsche would posit to overcome the narrow moralism of the Judeo-Christian tradition. Since he employed a medical vocabulary in his genealogical analysis to demonstrate the hereditary weaknesses to which European culture is prone, it makes sense that he would describe his 'solutions' or alternatives also in medical terms. One has to mention briefly too, that in this he may have been influenced in by his own medical problems. Malcolm Pasley goes as far as to say that 'after 1875, matters of sickness and health become themselves a main object of his reflections and medical or pseudo-medical categories come to furnish the very framework of his thinking. Indeed, by the final stage, by 1888, one can almost say that there are no other topics,

---

<sup>175</sup> It is interesting that the Greek *pathos* can mean both 'feeling' and 'disease'. Other meanings include occasion, event and suffering.

that the question of health has swallowed up everything else'.<sup>176</sup> A crude generalization, certainly, but in even the crudest generalization there is a tiny splinter of truth, and the quasi-aesthetic vocabulary of health certainly offered him a way of discriminating between various positions that do not appeal to notions of good and evil. It also offered him a legitimate means to talk about the *totality* of life without sounding esoteric or obscure.

Urtheile, Werthurtheile über das Leben, für oder wider, können zuletzt niemals wahr sein: sie haben nur Werth als Symptome, sie kommen nur als Symptome in Betracht, – an sich sind solche Urtheile Dummheiten (*GD* 'Das Problem des Sokrates' 2, KSA 6.68).

Against the Christian – and the Buddhist – tradition that conceives of health, justice and generally, the right order of things as a pain-free state, Nietzsche sees pain and injustice as necessary constituents of a healthy culture, or important for our purpose, constituents of a greater, stronger, more robust form of justice. Indeed, not only does Nietzsche believe pain to play an important part in the life of both a healthy individual and a healthy culture, but at times he suggests that sickness is a necessary prerequisite for genuine health. Traditionally, health is defined negatively and simply as the absence of sickness: the individual is well if nothing is wrong with him. Health is thus understood in the sense of Lockean freedom: the absence of obstacles is the 'neutral' or 'natural' position. Health according to this position is thus a neutral condition, a golden mean achieved by moderation and the absence of excess. In contrast to this view, sickness can (although it might not necessarily be the case) act as a stimulant to great health, providing both a target to overcome to an even healthier end and something against which the condition of health can be measured and identified. Writing in the preface to the second edition of *Die Fröhliche Wissenschaft* Nietzsche says:

Man erräth, dass ich nicht mit Undankbarkeit von jener Zeit schweren Siechthums Abschied nehmen möchte, deren Gewinn auch heute noch nicht für mich ausgeschöpft ist: so wie ich mir gut genug bewusst bin, was ich überhaupt in meiner wechselreichen Gesundheit vor allen Vierschrötigen des Geistes voraus habe. Ein Philosoph, der den Gang durch viele Gesundheitigen gemacht hat und immer wieder macht, ist auch durch ebensoviele

---

<sup>176</sup> Pasley, M. Nietzsche's Use of Medical Terms'. In: Pasley, M. (ed.) *Nietzsche: Imagery and Thought*. London: Methuen, 1978, p. 56.

Philosophien hindurchgegangen: er kann eben nicht anders als seinen Zustand jedes Mal in die geistigste Form und Ferne umzusetzen, – diese Kunst der Transfiguration ist eben Philosophie. Es steht uns Philosophen nicht frei, zwischen Seele und Leib zu trennen, wie das Volk trennt, es steht uns noch weniger frei, zwischen Seele und Geist zu trennen. Wir sind keine denkenden Frösche, keine Objektivir- und Registrir-Apparate mit kalt gestellten Eingeweiden, – wir müssen beständig unsre Gedanken aus unsrem Schmerz gebären und mütterlich ihnen Alles mitgeben, was wir von Blut, Herz, Feuer, Lust, Leidenschaft, Qual, Gewissen, Schicksal, Verhängniss in uns haben. Leben – das heisst für uns Alles, was wir sind, beständig in Licht und Flamme verwandeln, auch Alles, was uns trifft, wir können gar nicht anders. Und was die Krankheit angeht: würden wir nicht fast zu fragen versucht sein, ob sie uns überhaupt entbehrlich ist? (*FW* Vorrede 3, KSA 3.349).

The most frequently quoted references to ‘fruitful’ illness are, of course, the numerous instances where Nietzsche uses the image of pregnancy and motherhood to describe a condition of creative abundance, for example in *Die Fröhliche Wissenschaft* 369, where Nietzsche describes the life-enhancing horizon that a unique creation brings:

Ein Beständig-Schaffender, eine ‘Mutter’ von Mensch, im grossen Sinne des Wortes, ein Solcher, der von Nichts als von Schwangerschaften und Kindsbetten seines Geistes mehr weiss und hört, der gar keine Zeit hat, sich und sein Werk zu bedenken, zu vergleichen, der auch nicht mehr Willens ist, seinen Geschmack noch zu üben, und ihn einfach vergisst, nämlich stehn, liegen oder fallen lässt, – (*FW* 369, KSA 3.619).<sup>177</sup>

Images like these have made Nietzsche a valuable interlocutor for the feminist tradition, so much so that a tradition has developed that expresses Nietzsche’s overcoming of liberal justice in gender terms. Hélène Cixous, for example, reads Nietzsche’s overcoming of liberal justice in terms of the tension between a restricted masculinist economy based upon the law of equal exchange and a general feminine economy based upon expenditure.<sup>178</sup> Like Georges Bataille, she affirms an economy based upon waste and excess in order to counter the automatic utilitarian assumption that all expenditures must be productive and compensated. The latter economy finds its philosophical justification in John Locke’s definition of property in the *Second*

<sup>177</sup> See too, for example, *Also Sprach Zarathustra* ‘Die Reden Zarathustras’ (KSA 4.74): ‘und also sich bezwingend wurde es schwanger’ und schwer von grossen Hoffnungen’. See also Z IV, KSA 4.356, and *JGB* ‘Was ist vornehm’ 292, KSA 5.235.

<sup>178</sup> Cixous, H, and Clement, C. *The Newly Born Woman*. Translated by B. Wing. Minneapolis: University of Minnesota Press, 1986.

*Treatise of Government* where he states that one possesses and has a right to regard as one's own private property 'whatever one removes out of the state that nature hath provided and left it in and he hath mixed his labor with'.<sup>179</sup>

Cixous identifies a different set of practises, drawing among others on Nietzsche's association of possession with the masculine and giving and plenitude with the feminine, for example *FW* 363:

Das Weib giebt sich weg, der Mann nimmt hinzu – ich denke, über diesen Natur-Gegensatz wird man durch keine socialen Verträge, auch nicht durch den allerbesten Willen zur Gerechtigkeit hinwegkommen: so wünschenswerth es sein mag, dass man das Harte, Schreckliche, Räthselhafte, Unmoralische dieses Antagonismus sich nicht beständig vor Augen stellt. Denn die Liebe, ganz, gross, voll gedacht, ist Natur und als Natur in alle Ewigkeit etwas Unmoralisches (*FW* 363, KSA 3.612).

The masculine economy has a distinct unease when confronted with generosity. According to Cixous, masculine economies can only make *quid pro quo* exchanges by means of which a direct profit is to be earned, feminine economies are not constrained to giving as a means of deferred exchange in order to demand a gift in return. Rather, they tend to encourage giving as an affirmation of generosity and a general expression of confidence in the richness of the world. This entails an economy where, Zarathustra-like, profit can be deferred, perhaps infinitely, in order to precipitate an economy of the continuous circulation of giving.

The tendency to read that which exceeds the power of the rational (masculine) subject in feminine terms takes its inspiration from passages like the famous association of Truth with Woman in *Jenseits von Gut und Böse* and the various associations of excess with the feminine in passages like sections 385, 405, and 415 from *Menschliches, Alzumenschliches*. There is an enormous body of scholarly work<sup>180</sup> available on this topic; rehabilitating Nietzsche for feminism forms an important chapter in the history of the domestication of Nietzsche.<sup>181</sup> While this tradition is problematic in its own right, what concerns us here is that this 'feminine' economy of plenitude should not simply be read as a 'corrective' of the 'masculine'

<sup>179</sup> Locke, J. *Second Treatise of Government*. London: Penguin, 1989, p.23.

<sup>180</sup> See for example, besides Cixous, Luce Irigaray *The Marine Lover of Friedrich Nietzsche*, translated by G. C. Gill, New York, Columbia University Press, 1991 and Patton, P. (ed.) *Nietzsche, Feminism and Political Theory*. London: Routledge, 1994.

<sup>181</sup> See the introduction, p. 7-10.

*ius talionis*. Excess and plenitude – whether expressed in feminine idiom or not, while very important in the Nietzschean universe, should not too readily be equated with justice.

Man kann nicht hoch genug von den Frauen denken: aber deshalb braucht man noch nicht falsch von ihnen zu denken. Man soll darin gründlich auf der Hut sein. Daß sie selber imstande wären, die Männer über ‘das ewig-Weibliche’ aufzuklären, ist unwahrscheinlich; sie stehn sich vielleicht zu nahe dazu. Hat man jemals einem Weibsherzen schon Gerechtigkeit zugestanden? Ohne Tiefe aber und *Gerechtigkeit* — was nützt es, wenn Weiber ‘über das Weib’ urtheilen? Mit der Liebe und dem Lobe selbst wenn man sich selber liebt und lobt, ist sicherlich die Gefahr nicht vermindert, ungerecht und flach zu sein (Aphorism 10476, *NL* 85-86, KSA 11.593).

Whether this passage is directly aimed at the opposite sex or at the problems generated by a lack of distance, the feminine, usually associated with richness, mystery, and profound superficiality, in this particular passage is also associated with a lack of justice. That is, a lack of measure and form: pure excess and wildness is not justice<sup>182</sup>. Nietzsche is not Bataille; his overcoming of justice is more than mere liberation of libidinal energy. As has been indicated throughout, Nietzsche’s justice is a great deal *more* than mere excess.

This does not mean that one cannot express Nietzsche’s ‘new justice’ in terms of a noble, overflowing richness. Indeed, as Schoeman<sup>183</sup> demonstrates, an ethics of generosity forms an integral part of Nietzsche’s overcoming of moralism. As we shall see below, just or ‘sovereign’ man is characterized by qualities like magnanimity and gratitude and above all, by a genuine and sincere respect for his enemies. From the perspective of the slave’s morality, however, the strong and noble appear foolish; they even practise their own particular brand of *injustice*, an injustice of the ‘self-indulgence’ of their passions at the cost of what is ‘useful’:

Der Geschmack der höheren Natur richtet sich auf Ausnahmen, auf Dinge, die gewöhnlich kalt lassen und keine Süßigkeit zu haben scheinen; die höhere Natur hat ein singuläres Werthmaass. Dazu ist sie meistens des Glaubens, nicht ein singuläres Werthmaass in ihrer Idiosynkrasie des Geschmacks zu haben, sie setzt vielmehr ihre Werthe und Unwerthe als die überhaupt gültigen Werthe und Unwerthe an, und geräth damit in's

<sup>182</sup> See also *JGB* 9 for Nietzsche’s criticism of the Stoic tradition that takes ‘nature’ as its fundamental guiding principle. Nature, like the world, as we shall see, lacks justice.

<sup>183</sup> Schoeman, M. J. *Generositeit en Lewenskuns: Grondtrekke van ‘n post-Nietzscheaanse etiek*. Pretoria: Fragmente Uitgewers, 2004, p. 95.

Unverständliche und Unpraktische. Es ist sehr selten, dass eine höhere Natur soviel Vernunft übrig behält, um Alltags-Menschen als solche zu verstehen und zu behandeln: zu allermeist glaubt sie an ihre Leidenschaft als an die verborgen gehaltene Leidenschaft Aller und ist gerade in diesem Glauben voller Gluth und Beredsamkeit. Wenn nun solche Ausnahme-Menschen sich selber nicht als Ausnahmen fühlen, wie sollten sie jemals die gemeinen Naturen verstehen und die Regel billig abschätzen können! – und so reden auch sie von der Thorheit, Zweckwidrigkeit und Phantasterei der Menschheit, voller Verwunderung, wie toll die Welt laufe und warum sie sich nicht zu dem bekennen wolle, was ‘ihr Noth thue’. – Diess ist die ewige Ungerechtigkeit der Edlen (*FW* 3, KSA 3.375)

It is however, important to add that for Nietzsche, justice cannot be limited to gift-giving and generosity, nor does it require a complete dissolution of subjectivity or a quasi-Levinassian submission to the other. Indeed, as is the case with the majority of Nietzsche’s most important concepts, his conception of justice can best be explained in terms of its conflict with the most poetic of cardinal virtues, love:

Liebe und Gerechtigkeit. – Warum überschätzt man die Liebe zu Ungunsten der Gerechtigkeit und sagt die schönsten Dinge von ihr, als ob sie ein viel höheres Wesen als jene sei? Ist sie denn nicht ersichtlich dümmer als jene? – Gewiss, aber gerade deshalb um so viel angenehmer für Alle. Sie ist dumm und besitzt ein reiches Füllhorn; aus ihm theilt sie ihre Gaben aus, an jedermann, auch wenn er sie nicht verdient, ja ihr nicht einmal dafür dankt. Sie ist unparteiisch wie der Regen, welcher, nach der Bibel und der Erfahrung, nicht nur den Ungerechten, sondern unter Umständen auch den Gerechten bis auf die Haut nass macht (*MA* 69, KSA 2.81).

The fall of justice from a grand cosmological quality to a mere feature of a supposedly moral society, is the result of trying to bring love and justice in perfect accord with each other. While one informs the other, and the possibility of the *Übermensch* depends upon both virtues, they are quite distinct and often in conflict with each other. This is often the theme of tragedy: those, like Othello, who love ‘not wisely, but too well’ (*Othello*, V.ii. 338) commit injustice. Unwise love is at the root not only of that particular Shakespearean tragedy, but at the root of tragedy itself. Nietzsche is to a far greater extent than, say, Abelard and Heloise, the philosopher of love. Right at the beginning of *Also Sprach Zarathustra* the eponymous hero justifies his downgoing towards man to the hermit with a simple ‘Ich liebe die Menschen’ (*Z* Vorrede 2, KSA 4.13). But he is not *only* a philosopher of love. Without a sense of justice, love degenerates into mere pity or infatuation, and without love, the desire for justice runs the risk of turning into *ressentiment*.

Like Zarathustra, Nietzsche is both a yea-sayer and a nay-sayer. Loving the world means to see it as an opportunity or space for exercising judgement in the domain where love and justice stand forever in a tense but fruitful agonal relationship. Nietzsche's affirmation of the whole consists in a yea-saying to the eternal play between yes and no, the realization that good judgement sometimes requires a timely suspension of certain aspects of the world. Even good things need to be applied *economically*, or in a carefully measured way. But this is too much to ask from a vulgar audience incapable of comprehending measure or subtlety:

*Oekonomie der Güte.* – Die Güte und Liebe als die heilsamsten Kräuter und Kräfte im Verkehre der Menschen sind so kostbare Funde, dass man wohl wünschen möchte, es werde in der Verwendung dieser balsamischen Mittel so ökonomisch wie möglich verfahren: doch ist diess unmöglich. Die Oekonomie der Güte ist der Traum der verwegenen Utopisten (*MA* 48, *KSA* 2.69)

Between love and justice lies a sense of the tragic. Nietzsche's tragic justice consists of two distinct elements, namely the resurrection of a greater, impersonal cosmological order, and a chance for man to interact heroically with it. Pain, suffering and contradiction are no longer objections to existence, but an expression of the rich tensions within existence itself. Nor do these terms denote isolation from reality, but form our most intimate points of union with it. This requires a radical re-conception of our relationship with time, as well as a new appreciation of the *innocence* of becoming.

## 2. The Time of Tragedy

Among Christianity's many vices counts a certain lack of *ambition*. For Nietzsche, a single resurrection as part of a single directional history was just not enough; if man is to be redeemed, he would require a richer, more life-enhancing framework, a *constant* resurrection, not only of the body, but of everything else as well. Nietzsche's name for his more ambitious framework is of course the Eternal Recurrence.

As we have seen in chapter two, modern man merely lives off the accumulated capital of those in the past who have paid the price required to become rooted, and have art and traditions that kept them within a life-enhancing horizon. Modern (or 'theoretical') man became increasingly rootless by continually demonstrating the

paradoxes that underlie all traditions, even the strongest ones. In this process, rationalism leads to the secularization of a people who can no longer see the stamp of the eternal pressed upon their existence.

Und gerade nur so viel ist ein Volk – wie übrigens auch ein Mensch – werth, als es auf seine Erlebnisse den Stempel des Ewigen zu drücken vermag: denn damit ist es gleichsam entweltlicht und zeigt seine unbewusste innerliche Ueberzeugung von der Relativität der Zeit und von der wahren, d.h. der metaphysischen Bedeutung des Lebens. Das Gegentheil davon tritt ein, wenn ein Volk anfängt, sich historisch zu begreifen und die mythischen Bollwerke um sich herum zu zertrümmern: womit gewöhnlich eine entschiedene Verweltlichung, ein Bruch mit der unbewussten Metaphysik seines früheren Daseins, in allen ethischen Consequenzen, verbunden ist (*GT* 23, KSA1.148).

It is from this that man must seek recovery: he must step again into Heraclitus' river and become part of the flow of time again. This does not entail a *submission* to time; to the contrary, it means that since there is no pre-given 'meaning' attached to the endless flow of time, it is up to the artist-legislator to forge this meaning.

Dem Werden den Charakter des Seins aufzuprägen — das ist der höchste Wille zur Macht.  
Zweifache Fälschung, von den Sinnen her und vom Geiste her, um eine Welt des Seienden zu erhalten, des Verharrenden, Gleichwerthigen usw.  
Daß Alles wiederkehrt, ist die extremste Annäherung einer Welt des Werdens an die des Seins: Gipfel der Betrachtung (Aphorism 11309, *NL* 85-87, KSA 12.312).

Nietzsche's project can be succinctly summarized as an attempt to *link man again to eternity*, or to perform the greatest feat of resurrection possible in the Nietzschean framework: to resurrect a sense of the tragic to aid the creation of a new world. As we have seen, Nietzsche asserts that the attempt to exorcize the tragic from the human consciousness, i.e. all mystery, all sense of suffering and pain, conflict, irrationality and contradiction, is ultimately to destroy the ground for being linked to eternity. This brings us to one of Nietzsche's most substantial charges against metaphysics, namely that the philosophical faith in logical categories leads to a petrification and impoverishment of life. And an impoverished life is an unjust life. Where life manifests itself at its meanest and in its weakest form, there lies Nietzsche's conception of injustice. Where multi-dimensionality, plurality and complexity are reduced and denied, the possibility of a rich, overflowing and just life disappears.



A return to tragedy is simultaneously a return to the question of time and history. As we have seen, one of Nietzsche's most substantial charges against metaphysics is that the philosophical faith in logical categories leads to a cultural calcification. The vital flux of becoming is devalued, and timeless notions like being and stability are valued beyond their merit. Such a desire for unity and stability leads inevitably to a 'need for inertia' ('Die Einheit – der Monismus – ein Bedürfnis der inertia' Aphorism 10998, *NL* 85-87, KSA 12.120). The principal cause of this is of course a misrecognition of what the vocabulary of logic and language in general signifies. The crucial error of metaphysics is to have assumed that language refers to a pre-existing reality, awaiting the correct term to be applied to it. This hypostatization and reification of language bequeath necessarily, as we have seen in chapter three, a certain conception of time. It restricts *a priori* what can be considered an existent and what it means to exist. The apparently innocuous Socratic search for definitions eventually culminates in Plato's ontology. The inability of mundane existence to offer anything that could fulfill Plato's desire for an adequate definition of notions like the Good or the Just compelled him to think of them as a-temporal Ideas. For this reason Nietzsche employs the notion of 'becoming' as a counterweight to the metaphysical fetish of Being.

The Eternal Recurrence is notorious as Nietzsche's most elusive concept, and any account of it is bound to be highly selective, especially when used within the framework of another topic. Taking his strategy of resistance to conceptualization to the utmost extreme – Nietzsche tends to rival the world itself in providing material for future interpretations and lawgivers – he presents the doctrine in speculative form. When first presented as part of his published *oeuvre*, it is in the following form:

*Das grösste Schwergewicht.* – Wie, wenn dir eines Tages oder Nachts, ein Dämon in deine einsamste Einsamkeit nachschliche und dir sagte: 'Dieses Leben, wie du es jetzt lebst und gelebt hast, wirst du noch einmal und noch unzählige Male leben müssen; und es wird nichts Neues daran sein, sondern jeder Schmerz und jede Lust und jeder Gedanke und Seufzer und alles unsäglich Kleine und Grosse deines Lebens muss dir wiederkommen, und Alles in der selben Reihe und Folge – und ebenso diese Spinne und dieses Mondlicht zwischen den Bäumen, und ebenso dieser Augenblick und ich selber. Die ewige Sanduhr des Daseins wird immer wieder umgedreht – und du mit ihr, Stäubchen vom Staube!' – Würdest du dich nicht niederwerfen und mit den Zähnen knirschen und den Dämon verfluchen, der so redete? Oder hast du einmal einen ungeheuren Augenblick erlebt, wo du ihm antworten würdest: 'du bist ein Gott und nie hörte ich Göttlicheres!' Wenn

jener Gedanke über dich Gewalt bekäme, er würde dich, wie du bist, verwandeln und vielleicht zermalmen; die Frage bei Allem und Jedem ‘willst du diess noch einmal und noch unzählige Male?’ würde als das grösste Schwergewicht auf deinem Handeln liegen! Oder wie müsstest du dir selber und dem Leben gut werden, um nach Nichts *mehr zu verlangen*, als nach dieser letzten ewigen Bestätigung und Besiegelung? – (*FW* 341, *KSA* 3.570).

Its various formulations allow it to be interpreted as scientific theory, complete with proofs, a speculative ontology or, importantly, a moral imperative. According to Martin Heidegger, it is central to Nietzsche’s thought, even more important than the will to power. He writes, ‘The doctrine of the Eternal Return is central to Nietzsche’s thought, more fundamental even than the will to power. Bereft of this teaching, as its ground, Nietzsche’s teaching is like a tree without roots’.<sup>184</sup> In addition, he tends to regard this doctrine as a case of full-blown metaphysics, almost equal to Plato’s doctrine of the Forms. According to Karl Löwith Nietzsche oscillates between a voluntarist ‘anthropological’ version compatible with a strong will, and a second, more literal, ‘cosmological’ version, according to which the cosmic cycle of recurrence is indifferent to all human willing.<sup>185</sup> The latter ‘scientific’ version of the argument runs as follows:

Wenn die Welt als bestimmte GröÙe von Kraft und als bestimmte Zahl von Kraftcentren gedacht werden *darf* – und jede andere Vorstellung bleibt unbestimmt und folglich *unbrauchbar* – so folgt daraus, daß sie eine berechenbare Zahl von Combinationen, im großen Würfelspiel ihres Daseins, durchzumachen hat. In einer unendlichen Zeit würde jede mögliche Combination irgendwann einmal erreicht sein; mehr noch, sie würde unendliche Male erreicht sein. Und da zwischen jeder ‘Combination’ und ihrer nächsten Weltidentischen Reihen bewiesen: die Welt als Kreislauf der sich unendlich oft bereits wiederholt hat und der sein Spiel in infinitum spielt (Aphorism 12341, *NL* 87-88 *KSA*13.376).

This section is less a scientific ‘proof’ than an experiment: Nietzsche is trying to show that a cyclical interpretation of time may be just as easily argued for in scientific terms as the contemporary conception of time as a linear process. In other words, he wishes to emphasize the *limitations* on reason, the tragic fact that reason will never be able to reach the ultimate core of reality, and thus never be able to bring us in accord with it. This means that justice as it has hitherto been understood is no longer tenable.

<sup>184</sup> Heidegger, M. *Nietzsche*. Translated by D. F. Krell et al. San Francisco: Harper-Collins, 1991, p. 6.

<sup>185</sup> Löwith, K. *Nietzsche’s Philosophy of the Eternal Recurrence of the Same*. Translated by H. Lomax. Berkeley: University of California Press, 1997, p.73.

In this, he shares something of the Kantian antinomies of ‘pure reason’ in *The Critique of Pure Reason*. In the four Antinomies, Kant asserts that it is possible to both assert and contradict a number of metaphysical beliefs, such as the infinity of space and time, the universality of causality and the existence of an absolutely necessary Being. The purpose is not to argue for either one position, but to show that both positions lead to an insoluble paradox, and that the only solution is to accept the limitations of reason. This might apply to Nietzsche as well.

A fragment from 1885 supports this view. Nietzsche is not trying for any scientific ‘proof’, but tries to counter the Aristotelian conception of time on its own terms:

Hätte die Welt ein Ziel, so müßte es erreicht sein. Gäbe es für sie einen unbeabsichtigten Endzustand, so müßte er ebenfalls erreicht sein. Wäre sie überhaupt eines Verharrens und Starrwerdens, eines ‘Seins’ fähig, hätte sie nur Einen Augenblick in allem ihrem Werden diese Fähigkeit des ‘Seins’, so wäre es wiederum mit allem Werden längst zu Ende, also auch mit allem Denken, mit allem ‘Geiste’. Die Thatsache des ‘Geistes’ als eines Werdens beweist, daß die Welt kein Ziel, keinen Endzustand hat und des Seins unfähig ist (Aphorism10414, KSA 11.558).

Instead of trying to go against the ‘scientific’ spirit, Nietzsche goes over and above it by allowing tragedy to ‘swallow’ its rather simplistic and mechanistic framework. This is obvious from the way Nietzsche resurrects the ancient notion of ‘fate’ as a richer alternative to the rather mechanistic ‘chance’. Aristotle, in an attempt to supplement his famous analysis of the four ‘causes’, proceeds by defining chance as an accidental cause in the sphere of those actions that are done for some purpose. Accordingly, spontaneity is the wider term whose scope includes animals and the lower inanimate world incapable of deliberate intention. His example is the rather prosaic one of a stone falling and hitting a man. Because the stone is incapable of deliberate intent, this incident is said to have happened spontaneously, and not by chance. Chance, on the other hand, is defined as something closer to co-incidence: a man is going to the market to meet a friend, and by chance running into another man who owes him money. The latter has the money with him and pays his creditor. The fact that the man was on his way to do something else when he encountered his debtor is called chance.

For Nietzsche, fate is not a providential distribution of meaning and justice, it is simply what befalls us. This means that one should have the power and will to make the most out of it. The aim, Nietzsche says, is to become like those masters of musical improvisation who are able to breathe a beautiful meaning even into an accident (*FW* 293). Interestingly, in *MA* 363, man is depicted as mastering fate – a very old theme in Western literature. However, *mastering* fate is not the same as ridding oneself of it altogether. What makes *MA* 363 unique is that man is depicted as the ground for the seedcorn, fate. The ‘larger’ image is used for man, while the ‘smaller’ image represents fate in a reversal of literary custom. It is the quality of the soil that determines whether anything will grow.

An important clue as to the *meaning* of the Eternal Recurrence occurs in a rather short fragment from 1884, dealing with the relationship between chance and creation.

Höchster Fatalismus doch identisch mit dem Zufalle und dem Schöpferischen. (Keine Werthordnung in den Dingen! sondern erst zu schaffen.) (Aphorism 9804, *NL* 1884-1885, KSA 11.292).

Nietzsche’s conception of chance is far more *tragic* than that of Aristotle. If we turn to the etymology of the word ‘chance’, we see that it is derived from the Middle English *cheaunce*, which in its turn hails from the Old French *cheance*. This word in its turn is derived from the Latin *cadentia*, which translates as ‘falling’.<sup>186</sup> ‘Chance’ is described as ‘the happening of events’, the way things has *fallen* out’ and ‘fortune’ (my emphasis). This means, as Joan Stambaugh<sup>187</sup> points out, that chance does not simply refer to that which cannot be anticipated or calculated, but also implies opportunity, as the final meaning in the list, i.e. *fortune*, confirms. The Latin root of fortune, *fors*, also refers to chance, and what makes it important for our purposes is its proximity to fate and necessity. Normally, one tends to think of chance as the antithesis of fate and necessity: the unplanned and the unexpected that occurs for no reason at all. Importantly for our purpose, however, is the fact that both the ancient notion of fate and the modern notion of chance refer to a framework that is beyond the control of the subject. For Nietzsche, chance is closer to Cusanus’ notion of chance as co-incident, but still something less than rigid, iron-clad destiny. Nor is chance simple random arbitrariness. There is a necessary element in chance – human

<sup>186</sup> Cf. ‘cadence’. Oxford English Dictionary on Historical Principles.

<sup>187</sup> Stambaugh, J. ‘On *Zufall*’. *Philosophy Today*. Sage Publications, Spring 1999, pp. 95-99.

situatedness limits the contingencies of the world. This is why the self cannot just become *anything*; it is determined by the particular power-quanta that make up the self in question. It is simply up to the latter to see that it reaches its fullest potential: ‘Das Lernen verwandelt uns, es thut Das, was alle Ernährung thut, die auch nicht bloss ‘erhält’ –: wie der Physiologe weiss. Aber im Grunde von uns, ganz ‘da unten’, giebt es freilich etwas Unbelehrbares, einen Granit von geistigem Fatum, von vorherbestimmter Entscheidung und Antwort auf vorherbestimmte ausgelesene Fragen’ (*JGB* 231, *KSA* 5.172). This unreachable, sublime element, however, does not entail that Nietzsche embraces a straightforward fatalism. Indeed, he warns explicitly against the ‘Turkish Fatalism’ so succinctly captured by the Arab sigh of resignation, commonly uttered when disaster strikes: ‘*Mektoub* – it is written’. This is an *impotent* form of fatalism; a pure fatalism that leaves no room for heroic action. This is a unique form of injustice in its own right. If hubris is the Western refusal to submit to the greater order of things and allow for the free play of the will to power, the Mohammedan version is *inhumane*. It aims to submit to the laws of the cosmos to such an extent that it leaves no room for a *human* domain of freedom.

*Türkenfatalismus*. – Der Türkenfatalismus hat den Grundfehler, dass er den Menschen und das Fatum als zwei geschiedene Dinge einander gegenüberstellt: der Mensch, sagt er, könne dem Fatum widerstreben, es zu vereiteln suchen, aber schliesslich behalte es immer den Sieg; wesshalb das Vernünftigste sei, zu resigniren oder nach Belieben zu leben. In Wahrheit ist jeder Mensch selber ein Stück Fatum; wenn er in der angegebenen Weise dem Fatum zu widerstreben meint, so vollzieht sich eben darin auch das Fatum; der Kampf ist eine Einbildung, aber ebenso jene Resignation in das Fatum; alle diese Einbildungen sind im Fatum eingeschlossen. – Die Angst, welche die Meisten vor der Lehre der Unfreiheit des Willens haben, ist die Angst vor dem Türkenfatalismus: sie meinen, der Mensch werde schwächlich, resignirt und mit gefalteten Händen vor der Zukunft stehen, weil er an ihr Nichts zu ändern vermöge: oder aber, er werde seiner vollen Launenhaftigkeit die Zügel schiessen lassen, weil auch durch diese das einmal Bestimmte nicht schlimmer werden könne. Die Thorheiten des Menschen sind ebenso ein Stück Fatum wie seine Klugheiten: auch jene Angst vor dem Glauben an das Fatum ist Fatum. (*WS* 61, *KSA* 2.580).

The fatalist actively resents fate. He has not yet learned to join in when the iron hands of necessity shake the dice-box of chance (*M* 81). The genuine lover of fate, on the other hand, makes sure that everything he meets on his way is in some way or other incorporated in a life of celebration. Pain and misfortune are tools to be honed against the stone of fortune. In this, love of fate is not that different from love of another

person: it is not a mere resignation to a situation, but an active engagement in the realization of potential.

Rather than to understand fate as an absolute Other that imposes itself upon an individual life, as depicted in primitive tragedy, fate is understood as the limit to the extent that one can act as lawgiver upon oneself and one's circumstances. As Nietzsche puts it, *fatum* acts as as 'ein fließendes Machtgrenzen-bestimmen' (Aphorism 10542, *NL* 1884-1885, *KSA* 11: 638). One's fate is therefore intimately bound up with who one is, and emerges from one's situation. This means that fate is a radically *open* limit. Man, as soon as he acts, determines his own fate, even if this fate should form part of the anonymous workings of the Moirae. What matters is that man *experiences* this open-ended limit as freedom.

Du selber, armer Aengstlicher, bist die unbezwingliche Moira, welche noch über den Göttern thront, für Alles, was da kommt; du bist der Segen oder Fluch, und jedenfalls die Fessel, in welcher der Stärkste gebunden liegt; in dir ist alle Zukunft der Menschen-Welt vorherbestimmt, es hilft dir Nichts, wenn dir vor dir selber graut (*MA* 61, *KSA* 2.580).

The Eternal Recurrence is one of Nietzsche's tactics in attempting to think the human beyond the modernist notion of complete self-mastery that paved the way to modern nihilism. Against the pride of the modern 'self-made' man, Nietzsche posits a notion of fate that serves to remind us that we are not capable of fabricating ourselves completely. As we have seen in our discussion on the different 'types' of man, 'Jeder Typus hat seine Grenze' (Aphorism 12286, *NL* 87-88, *KSA* 13.316). The greatest limit is a self-imposed one. Those that Nietzsche terms slavish or weak *demand* to become transparent to themselves and bring themselves in perfect accord with the workings of the world. By doing this, they abdicate the uniquely human privilege of legislating to oneself. Genuine freedom is to be found in the space between the framework determined by fate and circumstance, and the complex, open-ended set of characteristics that make up the self. By denying their own complexity, the slaves attempt to renounce the indeterminacy of the human that is the root of his freedom and the space for playing out the ultimate agonal game: that of human (self)-legislation vs. the free play of the cosmic forces.

This is, however, also one of the reasons why the Eternal Recurrence is such a burden: man will never be able to break through the anonymous workings of the will to power and bring the giant clockwork of the world to a standstill. Nietzsche tries to

move beyond the metaphysical cliché of free will and determinism. These terms are generally conceived as something *outside* the subject as part of the subject-object dichotomy. Nietzsche attempts to re-think them in such a way as to bind them and the self together and remove their oppositional, antithetic character. This is why Nietzsche conceives of the self in cosmic, rather than psychological terms.

Ich bin ein Wanderer und ein Bergsteiger, sagte er zu seinem Herzen, ich liebe die Ebenen nicht und es scheint, ich kann nicht lange still sitzen. Und was mir nun auch noch als Schicksal und Erlebniss komme, – ein Wandern wird darin sein und ein Bergsteigen: man erlebt endlich nur noch sich selber. Die Zeit ist abgeflossen, wo mir noch Zufälle begegnen durften; und was könnte jetzt noch zu mir fallen, was nicht schon mein Eigen wäre! Es kehrt nur zurück, es kommt mir endlich heim – mein eigen Selbst, und was von ihm lange in der Fremde war und zerstreut unter alle Dinge und Zufälle (Z III, ‘Der Wanderer’, KSA 4.193).

The self that Nietzsche has in mind here is not the isolated, self-encapsulated ego, but a self deeply intertwined and ingrained in the world. For this self, the world is just<sup>188</sup> enough:

als ob zierliche Hände mir einen Schrein entgegentrügen, – einen Schrein offen für das Entzücken schamhafter verehrender Augen: also bot sich mir heute die Welt entgegen: –  
– nicht Räthsel genug, um Menschen-Liebe davon zu scheuchen, nicht Lösung genug, um Menschen-Weisheit einzuschläfern:  
– ein menschlich gutes Ding war mir heut die Welt, der man so Böses nachredet! (Z III, ‘Von den drei Bösen’ KSA 4.325).

The world is just enough because the self forms part of it. The Eternal Recurrence is a way to think of time and man’s relationship with it in the wake of the failure of the Great Redemption metanarratives, an attempt to join into the play of the the world rather than to try and work against it.

Oh Zarathustra, sagten darauf die Thiere, Solchen, die denken wie wir, tanzen alle Dinge selber: das kommt und reicht sich die Hand und lacht und flieht – und kommt zurück.  
Alles geht, Alles kommt zurück; ewig rollt das Rad des Seins.  
Alles stirbt, Alles blüht wieder auf, ewig läuft das Jahr des Seins.  
Alles bricht, Alles wird neu gefügt; ewig baut sich das gleiche Haus des Seins. Alles scheidet, Alles grüsst sich wieder; ewig bleibt sich treu der Ring des Seins.

---

<sup>188</sup> In both senses of the word.

In jedem Nu beginnt das Sein; um jedes Hier rollt sich die Kugel Dort. Die Mitte ist überall. Krumm ist der Pfad der Ewigkeit.’ – (Z III ‘Der Genesende’ KSA 4.273).

Nowhere does Nietzsche so explicitly associate the Eternal Recurrence with images of circularity and renewal. The meaning of the Eternal Recurrence shatters every notion of eternity as static. The wheel of Being is of course an archaic symbol in both the East and the West of an eternal round of existence without meaning, purpose or direction, except insofar as such a way of existence brings atonement from a primal guilt. Zarathustra’s ‘teachers’, his animals celebrate the wheel of time not as a Catherine’s wheel, as wheel of torture, but as a ‘wheel of opportunity’: man does not need to labor so hard in order to create a discourse of redemption, because the world itself provides it. The fact that, as the anonymous French adage goes, ‘*tout passe, tout casse, tout lasse*’<sup>189</sup> is an opportunity, not something to lament. The idea of the Eternal Recurrence is the most supreme challenge that man can face, the ultimate test of courage, for it poses the question of whether one’s life can be affirmed as it is in total, in the here and now, without any hope of redemption. That is, without the hope that the world will be improved. This is because the world as it is *requires no redemption*. Because it is well suited as it is to bring out the best in the best of men, it is sufficiently rich in power to allow human strength to flourish, because even the strongest, the noblest and the most beautiful type of individual will *never bring it to an end*. It is possible to cite Voltaire’s Dr Pangloss’<sup>190</sup> favorite maxim here without intending his irony: this is indeed the best of all possible worlds. Not perhaps for man universally, but it may well be the best of all possible worlds for the strong. All the hardships, all the pain and all the conflicts in it make it possible for strength to flourish *as* strength. Here is Nietzsche’s categorical imperative – far more challenging than Kant’s because it calls for an ethic of total affirmation.

Nietzsche’s task is thus rightly characterized by Bonnie Honig<sup>191</sup> as one of *recovery*, including among others, the resurrection of a healthy respect for what is classified in the slavish moral framework as negative.<sup>192</sup> Nietzsche seeks to overcome the narrow economy of moral subjectivity by re-inserting the old banished elements in

---

<sup>189</sup> Everything passes, everything perishes, everything palls.

<sup>190</sup> From *Candide*.

<sup>191</sup> Honig, B. *Political Theory and the Displacement of Politics*. Ithaca: Cornell University Press, 1993, p. 63.

<sup>192</sup> See the introduction.



a wider economy beyond good and evil. This includes a renewed appreciation for traditionally neglected or devalued aspects of life such as contingency, empirical limitations, temporality and situatedness. That is, he seeks to usher in a period of convalescence from the decadent desire to *exorcize*. Nietzsche would be the first to admit, or rather, to emphasize that the slaves are as necessary as the masters are. They are not merely tolerated as a necessary evil but should be seen as a vital element in the process of forging meaning. The hierarchy of master and slave may have had its origins in a struggle for recognition as Hegel holds; however, for Nietzsche, this battle is not to terminate in a final perfect state, but to continue as the ongoing battle for *differentiation*. And the greater the differentiation, the *Pathos der Distanz*, and the more complex the hierarchies involved, the stronger, the more potent and the more just will a society be.

At this stage it is necessary to state that a key difference between Nietzschean and traditional justice is that the former may judge, differentiate and condemn, but never, as the latter attempts to do, exorcize any element completely. Total affirmation does not entail a complete and absolute approval of every element in every context. An element considered vile, unpleasant or just useless, may in time prove itself essential for the enhancement of life. Utopian justice, which hopes to establish a permanent ideal situation with every ‘ugly’ or untenable part removed, is simply untenable and pointless: it is in affirming the painful, the unjust and incomprehensible that man demonstrates his true strength.

In keinem Punkte ist aber das gemeine Bewusstsein der Europäer widerwilliger gegen Belehrung, als hier; man schwärmt jetzt überall, unter wissenschaftlichen Verkleidungen sogar, von kommenden Zuständen der Gesellschaft, denen ‘der ausbeuterische Charakter’ abgehn soll: – das klingt in meinen Ohren, als ob man ein Leben zu erfinden verspräche, welches sich aller organischen Funktionen enthielte. Die ‘Ausbeutung’ gehört nicht einer verderbten oder unvollkommenen und primitiven Gesellschaft an: sie gehört in’s Wesen des Lebendigen, als organische Grundfunktion, sie ist eine Folge des eigentlichen Willens zur Macht, der eben der Wille des Lebens ist (*JGB* 259, KSA 5.207).

In this, he appears to be aided by the very nature of the world itself. Despite the liberal tradition’s most earnest attempts to limit the ‘just man’ to the narrow subjectivity of modern legalism, the world – and the will to power – will simply not allow it. ‘Nature’ (or the ‘world’) not only abhors a vacuum, it cannot bear stasis for

very long either. This is why Nietzsche warns against the reductionistic tendency to interpret the world in terms of static laws. If there is a mysterious law that governs the workings of our world, it is exactly that – mysterious. Although science can achieve much, the ultimate laws of the universe will forever be beyond our reach.

Hüten wir uns! –Der Gesamt-Charakter der Welt ist dagegen in alle Ewigkeit Chaos, nicht im Sinne der fehlenden Nothwendigkeit, sondern der fehlenden Ordnung, Gliederung, Form, Schönheit, Weisheit, und wie alle unsere ästhetischen Menschlichkeiten heissen. Von unserer Vernunft aus geurtheilt, sind die verunglückten Würfe weitaus die Regel, die Ausnahmen sind nicht das geheime Ziel, und das ganze Spielwerk wiederholt ewig seine Weise, die nie eine Melodie heissen darf, – und zuletzt ist selbst das Wort ‘verunglückter Wurf’ schon eine Vermenschlichung, die einen Tadel in sich schliesst. Aber wie dürften wir das All tadeln oder loben! Hüten wir uns, ihm Herzlosigkeit und Unvernunft oder deren Gegensätze nachzusagen: es ist weder vollkommen, noch schön, noch edel, und will Nichts von alledem werden, es strebt durchaus nicht darnach, den Menschen nachzuahmen! Es wird durchaus durch keines unserer ästhetischen und moralischen Urtheile getroffen! Es hat auch keinen Selbsterhaltungstrieb und überhaupt keine Triebe; es kennt auch keine Gesetze (*FW* 109, KSA 3.468).

The Eternal Recurrence is no rigid cosmic law. If anything, it testifies to the tragic impossibility of ever finding such laws. Reading time as something opaque would be in keeping with Nietzsche’s general attitude towards the indecipherability of the world. As we have seen in chapter three, Nietzsche repeatedly emphasizes that the laws of physics are but an interpretation. And the aspect of existence most resilient to human interpretation is time.

Die Ordnung der Welt wäre die Regelmäßigkeit der Zeitfiguren: doch müsste man dann jedenfalls die Zeit mit einer constanten Kraft wirkend denken, nach Gesetzen, die wir uns nur aus dem Nebeneinander deuten können. *Actio in distans temporis punctum*. An sich haben wir gar kein Mittel ein Zeitgesetz hinzustellen (Aphorism 1412, KSA 7.577).

In an Arendtian vein: the Eternal Recurrence testifies to the fact that *men* can be artists and lawgivers, but that *man* can never change the fundamental human condition of being situated in an ever changing world. In other words, man forms part of a greater order, a greater justice from which there is no escape, but then, no escape necessary, either.

Diese Attitüde, eine Erfindung unsrer letzten Jahrzehnte, heißt sich, soviel ich höre, auch Pessimismus, und zwar Entrüstungs-Pessimismus. Hier wird der

Anspruch gemacht, die Geschichte zu richten, sie ihrer Fatalität zu entkleiden, eine Verantwortlichkeit hinter ihr, Schuldige in ihr zu finden. Denn darum handelt es sich: man braucht Schuldige. Die Schlechtweggekommenen, die *décadents* jeder Art sind in Revolte über sich und brauchen Opfer, um nicht an sich selbst ihren Vernichtungs-Durst zu löschen (was an sich vielleicht die Vernunft für sich hätte). Dazu haben sie einen Schein von Recht nöthig, das heißt eine Theorie, auf welche hin sie die Thatsache ihrer Existenz, ihres So-und-so-seins auf irgend einen Sündenbock abwälzen können.

[....]

Es fehlt jeder Ort, jeder Zweck, jeder Sinn, wohin wir unser Sein, unser So-und-so-sein abwälzen könnten. Vor allem: Niemand könnte es: man kann das Ganze nicht richten, messen, vergleichen oder gar verneinen. Warum nicht? – Aus fünf Gründen, allesamt selbst, bescheidenen Intelligenzen zugänglich: zum Beispiel, weil es nichts gibt außer dem Ganzen. – Und nochmals gesagt, das ist ein großes Labsal, darin liegt die Unschuld alles Daseins (Aphorism 12410, KSA 13.422).

Utopianism and linear thinking is an attempt to rob history of its fate. The eternal recurrence is an attempt to think history again on a scale large enough in order to restore a sense of the highly impersonal suprahuman workings of the world and the will to power. There is a unique kind of hubris involved in the Christian-cum-modernist idea that history moves towards a certain identifiable end: it is a unique kind of violence against the complexity that truly characterizes the world; a classic case of *hubris* because the world cannot be captured in a simple progressive narrative.

*Amor fati* can be described as the willingness to live in a world where there is no apparent link between the indifferent forces of cosmic justice and human justice, except in that they are both instances of the will to power that, in its turn, seeks to enhance its own performance. In *Die Fröhliche Wissenschaft*, Nietzsche introduces *amor fati* as something yet unachieved. In section 276, where this concept is mentioned for the first time, Nietzsche mentions it as a new year wish:

Zum neuen Jahre. – Noch lebe ich, noch denke ich: ich muss noch leben, denn ich muss noch denken. Sum, ergo cogito: cogito, ergo sum. Heute erlaubt sich Jedermann seinen Wunsch und liebsten Gedanken auszusprechen: nun, so will auch ich sagen, was ich mir heute von mir selber wünschte und welcher Gedanke mir dieses Jahr zuerst über das Herz lief, – welcher Gedanke mir Grund, Bürgschaft und Süßigkeit alles weiteren Lebens sein soll! Ich will immer mehr lernen, das Nothwendige an den Dingen als das Schöne sehen: – so werde ich Einer von Denen sein, welche die Dinge schön machen. Amor fati: das sei von nun an meine Liebe! Ich will keinen Krieg gegen das Hässliche führen. Ich will nicht anklagen, ich will nicht einmal die Ankläger anklagen. Wegsehen sei meine einzige

Verneinung! Und, Alles in Allem und Grossen: ich will irgendwann einmal nur noch ein Ja-sagender sein! (*FW* 276, KSA 3.521).

To be a mere Yea-sayer, however, is impossible; as we shall see below, Dionysos is a judge too. To fully engage in the joyful struggle of life, one must be a No-sayer, a judge and a destroyer as well. The drive that drives one to grow and change, to embrace what one is, must also include a love of the No, even if it merely takes the form of a turning away.

### 3. Seizing the Opportunity: The *Übermensch*

Nietzsche thinks of the relationship between self and world in terms of which the human being remains inextricably bound up with the world, which both informs and is formed by our interpretations. It is possible to describe this link as the ‘unlogische Grundstellung zu allen Dingen’ (*MA* 31, KSA 2.51). Accordingly, the interpretation of the world is neither simply determined by forces outside the self, nor a function of a self-sufficient self. Nietzsche even goes as far as to find the division between man and world *laughable*: ‘wir lachen schon, wenn wir ‘Mensch und Welt’ nebeneinander gestellt finden, getrennt durch die sublime Anmaassung des Wörtchens ‘und’! (*FW* 346, KSA 3.581). Müller-Lauter describes the self as a ‘quantitative particularization’<sup>193</sup> of the will to power, or the place where a number of power drives stabilize into a discernable unity. Nietzsche describes such a ‘stabilization’ as ‘eine complexe Form der Spezifität’ (Aphorism 12339, *NL* 88-99, KSA 13.373). If the will to power is understood as the struggle between various power-complexes, the human being is deeply involved with this play of becoming.

Nietzsche’s *Übermensch* can perhaps be best explored through the enigmatic injunction ‘to become what one is’. This command appears in several forms throughout Nietzsche’s career. It first makes its appearance in one of Nietzsche’s early texts, *Schopenhauer als Erzieher*, the third *Unzeitgemässe Betrachtung* of 1874. Nietzsche says in this text: ‘Der Mensch, welcher nicht zur Masse gehören will, braucht nur aufzuhören, gegen sich bequem zu sein; er folge seinem Gewissen,

---

<sup>193</sup> Müller-Lauter, *Nietzsche. His Philosophy of Contradictions and the Contradictions of his Philosophy*. Illinois: University of Illinois Press, 1999, p. 133.

welches ihm zuruft: “sei du selbst! Das bist du alles nicht, was du jetzt thust, meinst, begehrt.” (*UM II*, KSA 1.338). Later, in *Die Fröhliche Wissenschaft*, the injunction is repeated in a more concise version: ‘Was sagt dein Gewissen? – “Du sollst der werden, der du bist”.’ (*FW* 270, KSA 3.519). In the same text, a bit further on, Nietzsche explicitly contrasts those who are willing to take up the challenge and become philosopher-legislators with those who are concerned with ‘moral values’ (*FW*, 335). Such an important idea has of course to be put in the mouth of Zarathustra, who says

Bis sie, anbeissend an meine spitzen verborgenen Haken, hinauf müssen in *meine* Höhe, die buntesten Abgrund-Gründlinge zu dem boshafteigsten aller Menschen-Fischfänger. *Der* nämlich bin ich von Grund und Anbeginn, ziehend, heranziehend, hinaufziehend, aufziehend, ein Zieher, Züchter und Zuchtmeister, der sich nicht umsonst einstmals zusprach: ‘Werde, der du bist!’ (*Z* ‘Das Honig-Opfer’, KSA 4.295).

The phrase ‘Become who you are!’ appears like a golden thread throughout the Nietzschean *oeuvre*. Its aim is to transform the idea that the self is ‘like this or that’ into the joyful acceptance that it cannot be found unless it is *created*. The individuals who desire to ‘become who they are’ are the ones who are willing to see the self no longer as entity, but as a site of anarchic forces waiting to be mastered and formed into something beautiful. These are the human beings of the future: ‘Wir aber wollen Die werden, die wir sind, – die Neuen, die Einmaligen, die Unvergleichbaren, die Sich-selber-Gesetzgebenden, die Sich-selber-Schaffenden! Und dazu müssen wir die besten Lerner und Entdecker alles Gesetzlichen und Nothwendigen in der Welt werden: wir müssen Physiker sein, um, in jenem Sinne, Schöpfer sein zu können’ (*FW* 335, KSA 3.564). The phrase becomes less paradoxical when it is not seen through a teleological lens; i. e. the subject is not to become something different to what he is at present. Rather, Nietzsche is urging his readers to actualize all the capacities for which they might be suited. Since, as a constellation of forces, the self is not a unity as conceived during the period of ‘high’ metaphysics, but a *plurality*. One must resist the tendency to read the soul in atomistic terms, the unavoidable ‘atomistischen Bedürfnisse’ (*JGB* 12) that conceives of ‘die Seele als etwas Unvertilgbares, Ewiges, Untheilbares, als eine Monade, als ein Atomon’. As alternative Nietzsche offers ‘Seele als Subjekts-Vielheit’ und ‘Seele als Gesellschaftsbau der Triebe und Affekte’ (*JGB* 12, KSA 5.26). This, however, by no

means implies chaos or disorder. At least not permanently. A non-teleological framework does not mean that no ideals can be posited. Quite the contrary: it is precisely because the self is not to be found or discovered that he is to be *legislated* or created. Consider the importance of words like ‘command’, ‘rule’ and ‘aristocracy’ in the following quote:

[V]ielleicht ist es ebensogut erlaubt, eine Vielheit von Subjekten anzunehmen, deren Zusammenspiel und Kampf unserem Denken und überhaupt unserem Bewußtsein zu Grunde liegt? Eine Art Aristokratie von ‘Zellen’, in denen die Herrschaft ruht? Gewiß von pares, welche mit einander an’s Regieren gewöhnt sind und zu befehlen verstehen? Meine Hypothesen: das Subjekt als Vielheit der Schmerz als intellektuell und abhängig vom Urtheil. ‘Schädlich’ projicirt die Wirkung immer ‘unbewußt’: die erschlossene und vorgestellte ‘Ursache’ wird projicirt, folgt der Zeit nach. Die Lust ist eine Art des Schmerzes. Die einzige Kraft, die es giebt, ist gleicher Art wie die des Willens: ein Commandiren an andere Subjekte, welche sich daraufhin verändern. Die beständige Vergänglichkeit und Flüchtigkeit des Subjekts, ‘sterbliche Seele’ (Aphorism 10563, KSA 11.650).

It should now be clear that the indeterminacy of the self is a result of his inherent plurality and multiplicity. If there is no self, however, there can be no moral self either. This means that any attempt to forge a universal law will by definition ‘smell of cruelty’. If there is an unconditional standard at work in Nietzsche’s writings – an ethic of self-realization is clearly present right through his *oeuvre* – he certainly does not appear to think that it will be easily communicable in the simple fixity of a universal law. A wiser attempt would be to take a chosen course of life, among other possibilities, as the summary of a person’s attempt to realize or find that unconditional standard. Even in the unlikelihood of anyone ever finding that standard, it would be a life led closer to the reality of moral learning than to follow abstract rules, for example, those of Kant. Mere conceptual interpretation will never convey the creativity open to an exemplary course of life, especially in the light of Nietzsche’s account of the fragility of conscious ratiocination, with its persistent simplification of the complex reality of deeds, not to mention the ineluctable tendency to be pressed into the service of self-deception. Furthermore, the Categorical Imperative, as highest criterion of reasonableness, invites us to ensure that our course of action would be appropriate for any similar agent in similar circumstances – the old Sidgwickian line that ‘a reason in one case is a reason in all cases, or it is not a reason at all’.

A crucial thrust in Nietzsche's objection to Kant lies in his characteristic assertion that we should not be asked to consider ourselves in such a position of sameness. Instead, he demands that we explicitly distinguish ourselves. He does not simply dismiss our 'shared humanity' but looks for a corrective to Kant's elimination of plurality that forms part of his over-simple universalizing procedures. Rather than to object to the entire enterprise of morality – as most people still think he does – Nietzsche merely rejects the claim of any morality to universal scope and application. Such a morality is not only inhuman in the obvious economical sense – creating laws that forbid the rich and the poor alike to sleep under bridges and to steal bread – but also inhuman in that it denies difference in potential, and in particular, refuses to allow scope for the genuine individual, he who has to create his own world and cannot bear to be fettered to one set of rules. Such a monolithic ideal is responsible for the greatest injustice hitherto known to man: the reduction of a plurality of human kinds and types to the lowest common denominator. This is a crime against humanity if ever there was one. Naturally, ethical laws bind, and should bind collectively, but only across a limited number of individuals, such as a race or community. In Zarathustra's words: 'Ich bin ein Gesetz nur für die Meinen' (Z IV, 'Das Abendmahl' KSA 4.353). The liberal dream of a universal ethical community that comprises all human beings is in reality a nightmare. If we look at the following extract from *Der Antichrist*, we see that Nietzsche suggests that God has died, or at least become powerless – by becoming *cosmopolitan*:

Er moralisirt beständig, er kriecht in die Höhle jeder Privattugend, wird Gott für Jedermann, wird Privatmann, wird Kosmopolit... Ehemals stellte er ein Volk, die Stärke eines Volkes, alles Aggressive und Machtdurstige aus der Seele eines Volkes dar: jetzt ist er bloss noch der gute Gott... In der That, es giebt keine andre Alternative für Götter: *entweder* sind sie der Wille zur Macht – und so lange werden sie Volksgötter sein – *oder* aber die Ohnmacht zur Macht – und dann werden sie nothwendig *gut*...(AC 16, KSA 6.183).

The laws of such an omni-ethical community express only the commonalities and banalities of the individuals involved in the project, rather than their unique strengths and virtues and viewpoints. The function of morality is to enhance the life of a particular people, rather than the other way around.

Dies widerspruchsvolle Geschöpf hat aber an seinem Wesen eine große Methode der Erkenntniß: er fühlt viele Für und Wider – er erhebt sich zur

Gerechtigkeit – zum Begreifen jenseits des Gut- und Böseschätzens. Der weiseste Mensch wäre der reichste an Widersprüchen, der gleichsam Tastorgane für alle Arten Mensch hat: und zwischeninnen seine großen Augenblicke grandiosen Zusammenklangs – der hohe Zufall auch in uns! (Aphorism 9383, *NL* 84-85, KSA 11.181).

Because the human being so complex, these potentialities are in principle inexhaustible. Like a text that has to be interpreted, the self is ‘bottomless’, as generous as a text that always allows for yet another different interpretation. The possibilities of one situated self far exceed what can be done during man’s limited lifespan.

To Karl Marx’s famous complaint that ‘the philosophers have hitherto only interpreted the world in various ways; the point is to change it’, Nietzsche might have replied that on the contrary, the world cannot be changed, except insofar as it is (re)interpreted. Interpretation is, however, the most important form of mastery. This makes the act of interpreting oneself also a form of self-mastery, though obviously an act of self-mastery very different from the self-subjugation that marks the moral ideal. Nietzsche envisages a control over the affects which nevertheless does not deprive them of their vitality. In the summer of 1888 Nietzsche carefully draws a vital distinction: ‘Die Herrschaft über die Leidenschaften, nicht deren Schwächung oder Ausrottung! Je größer die Herren-Kraft unseres Willens ist, so viel mehr Freiheit darf den Leidenschaften gegeben werden. Der große Mensch ist groß durch den Freiheits-Spielraum seiner Begierden: er aber ist stark genug, daß er aus diesen Unthieren seine Haustiere macht...’ (Aphorism 12507, KSA 13.485). When the genuine master tames his own drives, he neither submits to a universal law nor allows his drives simply to run free. Taming in this sense is also equivalent to pruning or legislating, not to be associated with slavish repression. The *Übermensch*, as the ideal self-legislating, self-interpreting being, is an aristocracy of the affects. In this figure there is measure: order without subjugation, a goal, a straight line or a purpose without a restricting *telos*. The affects must be orchestrated in such a way as to maximize their potential; the affects tend to show a permanent readiness to change their configuration. In *Ecce Homo* Nietzsche captures the art of personal self-legislation in a nutshell:

Zur Aufgabe einer Umwerthung der Werthe waren vielleicht mehr Vermögen nöthig, als je in einem Einzelnen bei einander gewohnt haben, vor Allem auch Gegensätze von Vermögen, ohne dass diese sich stören, zerstören durften. Rangordnung der Vermögen; Distanz; die Kunst zu trennen, ohne zu



verfeinden; Nichts vermischen, Nichts ‘versöhnen’; eine ungeheure Vielheit, die trotzdem das Gegenstück des Chaos ist – dies war die Vorbedingung, die lange geheime Arbeit und Künstlerschaft meines Instinkts (*EH* ‘Warum ich so klug bin’ 9, KSA 6.294).

Once again one sees an *agon* in action. Competing capacities must be brought into order, yet not an order that robs them of their particularity, but rather, as we shall see below, an interpretation of individual perspectives must be allowed to maximize the operation or workings of a wide range of perspectives.

This means to reject the urge to try to exorcise one’s weaknesses like a pathetic slave frightened of himself. Instead, it is to incorporate these very weaknesses into the composition of the self and to make a ‘melody’ out them. In *Daybreak*, section 218 Nietzsche says the following:

Wenn wir durchaus Schwächen haben sollen und sie als Gesetze über uns endlich auch anerkennen müssen, so wünsche ich jedem wenigstens so viel künstlerische Kraft, dass er aus seinen Schwächen die Folie seiner Tugenden und durch seine Schwächen uns begehrlieh nach seinen Tugenden zu machen verstehe: Das, was in so ausgezeichnetem Maasse die grossen Musiker verstanden haben (*M* 218, KSA 3.193).

In Beethoven, there is often ‘ein grober rechthaberischer, ungeduldiger Ton, bei Mozart eine Jovialität biederer Gesellen’ (*ibid*). But just at the right moment these composers checked themselves, producing masterpieces. Needless to say, the later Nietzsche denies that Wagner had this talent. As always, Nietzsche turned to the Greeks to emphasize the importance of good judgement, measure and restraint.

Wie aber die zu erziehenden Jünglinge mit einander wettkämpfend erzogen wurden, so waren wiederum ihre Erzieher unter sich im Wetteifer. Mißtrauisch-eifersüchtig traten die großen musikalischen Meister, Pindar und Simonides, neben einander hin; wetteifernd begegnet der Sophist, der höhere Lehrer Alterthums, dem anderen Sophisten; selbst die allgemeinste Art der Belehrung, durch das Drama, wurde dem Volke nur ertheilt unter der Form eines ungeheuren Ringens der großen musikalischen und dramatischen Künstler (*Homers Wettkampf*, KSA 1.790).

The Greek affirmation of life was only possible on the basis of a determinate negation. The Greeks could not use their energies unless channeled into a specific purpose, which involved the affirmation of some possibilities and the denial or repression of others. If justice is to be understood as strength, it requires injustice too. This is a theme followed throughout Nietzsche’s career. In *Der Griechische Staat*,

Nietzsche emphasizes the necessity of resistance, negation, and above all, *suffering* in the sublimation of the human being. Humans suffer in the production of a higher culture and suffering, sometimes of the majority, is a precondition of greatness. He writes:

Demgemäß müssen wir uns dazu verstehen, als grausam klingende Wahrheit hinzustellen, daß *zum Wesen einer Kultur das Sklaventhum gehöre*: eine Wahrheit freilich, die über den absoluten Werth des Daseins keinen Zweifel übrig läßt. Sie ist der Geier, der dem prometheischen Förderer der Kultur an der Leber nagt. Das Elend der mühsam lebenden Menschen muß noch gesteigert werden, um einer geringen Anzahl olympischer Menschen die Produktion der Kunstwelt zu ermöglichen (*Der Griechische Staat*, KSA 1.799).

This is of course the main source of socialist ire: ‘Hier liegt der Quell jenes Ingrimms, den die Kommunisten und Socialisten und auch ihre blässeren Abkömmlinge, die weiße Race der Liberalen jeder Zeit gegen die Künste, aber auch gegen das klassische Alterthum genährt haben’ (KSA 1.768). But without suffering, there is no greatness, no movement and no creation. And a meager existence, as we have seen, defines Nietzschean injustice. On an individual level too, the self cannot produce a wider horizon of self-interpretation and creation except by suffering, measuring and discipline. In *Die Götterdämmerung* he remarks:

Heute müsste man das Individuum erst möglich machen, indem man dasselbe beschneidet: möglich, das heisst ganz ... Das umgekehrte geschieht: der Anspruch auf Unabhängigkeit, auf freie Entwicklung, auf *laissez aller* wird gerade von Denen am hitzigsten gemacht, für die kein Zügel zu streng wäre – dies gilt in politics, dies gilt in der Kunst. Aber das ist ein Symptom der *décadence*: unser moderner Begriff ‘Freiheit’ ist ein Beweis von Instinkt-Entartung (*GD* ‘Streifzüge eines Unzeitgemässen’ 41, KSA 6.143).

This picture is supplemented by the famous statement in *JGB* 188 ‘Jede Moral ist, im Gegensatz zum *laissez aller*, ein Stück Tyrannei gegen die ‘Natur’, auch gegen die *Vernunft*’ (KSA 5.108). Important for our purpose, tyranny only becomes injustice when it is *unproductive*. Modern culture is an instance of this *décadence*, since it seeks to deny, in the manner of the Cartesian subject (supposed to be untainted by the flux of the external world) the vital flow of forces that *is* the self.

*Ungerechtsein nothwendig.* – Alle Urtheile über den Werth des Lebens sind unlogisch entwickelt und deshalb ungerecht. Die Unreinheit des Urtheils liegt erstens in der Art, wie das Material vorliegt, nämlich sehr unvollständig, zweitens in der Art, wie daraus die Summe gebildet wird, und drittens darin, dass jedes einzelne Stück des Materials wieder das Resultat unreinen Erkennens ist und zwar diess mit voller Nothwendigkeit. Keine Erfahrung zum Beispiel über einen Menschen, stünde er uns auch noch so nah, kann vollständig sein, so dass wir ein logisches Recht zu einer Gesamtabschätzung desselben hätten; alle Schätzungen sind voreilig und müssen es sein. Endlich ist das Maass, womit wir messen, unser Wesen, keine unabänderliche Grösse, wir haben Stimmungen und Schwankungen, und doch müssten wir uns selbst als ein festes Maass kennen, um das Verhältniss irgend einer Sache zu uns gerecht abzuschätzen. Vielleicht wird aus alledem folgen, dass man gar nicht urtheilen sollte; wenn man aber nur leben könnte, ohne abzuschätzen, ohne Abneigung und Zuneigung zu haben! – denn alles Abgeneigtsein hängt mit einer Schätzung zusammen, ebenso alles Geneigtsein. Ein Trieb zu Etwas oder von Etwas weg, ohne ein Gefühl davon, dass man das Förderliche wolle, dem Schädlichen ausweiche, ein Trieb ohne eine Art von erkennender Abschätzung über den Werth des Zieles, existirt beim Menschen nicht. Wir sind von vornherein unlogische und daher ungerechte Wesen, und können diess erkennen: diess ist eine der grössten und unauflösbarsten Disharmonien des Daseins. (MA 32, KSA 2.51).

In explicit contrast to the Romantic idea of freedom as a form of self-expression in which one seeks to expand the powers of the self by extending its reach as far as possible into the outside world, Nietzsche upholds the figure of Epictetus as a model of freedom as self-mastery in which the powers of the self are not so much expanded as they are intensified, in a person who lived without the notion that hope may be coming from the outside. In this respect, Nietzsche argues, the slavery of Epictetus differs radically from the slavery of the Christian in that ‘der Christ in Hoffnung lebt, in der Vertröstung auf “unaussprechbare Herrlichkeiten”, dass er sich beschenken lässt und das Beste von der göttlichen Liebe und Gnade, und nicht von sich, erwartet und annimmt’ (M 546, KSA 3.317). By contrast, it is possible to say that ‘Epiktet nicht hofft und sein Bestes sich nicht schenken lässt, – er besitzt es, er hält es tapfer in seiner Hand, er macht es der ganzen Welt streitig, wenn diese es ihm rauben will’. In an earlier aphorism, Nietzsche comments that Epictetus, like the other masters of the antique art of self-legislation, would be considered immoral from the viewpoint of the contemporary morality of pity: ‘[They] wussten Nichts von der jetzt üblichen Verherrlichung des Denkens an Andere, des Lebens für Andere; man würde sie nach unserer moralischen Mode geradezu unmoralisch nennen müssen, denn sie haben sich mit allen Kräften für ihr ego und gegen die Mitempfindung mit den

Anderen (namentlich mit deren Leiden und sittlichen Gebrechen) gewehrt' (M 131, KSA 3.122). In the same section, Nietzsche imagines Epictetus giving a sarcastic retort to Christian selflessness: 'Vielleicht dass sie uns antworten würden: "habt ihr an euch selber einen so langweiligen oder hässlichen Gegenstand, so denkt doch ja an Andere mehr, als an euch! Ihr thut gut daran."' (M 131, KSA 3.123).

Using the model of Stoic self-discipline, Nietzsche celebrates a self who accepts, as Epictetus does, the circumstances in which it finds itself, not passively, but robustly, as an exercise of the sovereign power that is reserved for it alone, and that no other can take away. This self is a bent bow, a self bending over in a titanic effort at self-command. He writes in *Morgenröte* 114 that it is precisely through suffering that even the weak for once get the opportunity to legislate. Pain can be a tremendous stimulus: even when given the opportunity to avoid it, there will be those who deliberately seek it out, purely in order to demonstrate that they can endure it. They may even end up wishing that they did not have the monstrous pride that put them in the position of pain. Being in pain is experienced as an offense against the mind that lives within the body. It forces an exclusive focus upon the body, and the intellect, that Nietzsche refers to in the passage, does its utmost best to regain proper dominion. As a result, the entire organism undergoes a transformation and invigoration. It is the pain itself separating the sufferer from the world around him that gives the sufferer the opportunity to see the world in a new light, without the 'lying little charms' that usually surrounds it. The suffering man has the opportunity to tell himself:

'sei einmal dein eigener Ankläger und Henker, nie einmal dein Leiden als die von dir über dich verhängte Strafe! Geniesse deine Überlegenheit als Richter; mehr noch: geniesse dein Belieben, deine tyrannische Willkür! Erhebe dich über dein Leben wie über dein Leiden, sieh hinab in die Gründe und die Grundlosigkeit!' Unser Stolz bäumt sich auf, wie noch nie: es hat für ihn einen Reiz ohne Gleichen, gegen einen solchen Tyrannen wie der Schmerz ist, und gegen alle die Einflüsterungen, die er uns macht, damit wir gegen das Leben Zeugnis ablegen, – gerade das *Leben* gegen den Tyrannen zu *vertreten*. In diesem Zustande wehrt man sich mit Erbitterung gegen jeden Pessimismus, damit er nicht als *Folge* unseres Zustandes erscheine und uns als Besiegte demüthige. Nie ist ebenfalls der Reiz, Gerechtigkeit des Urtheils zu üben, grösser, als jetzt, denn jetzt ist es ein Triumph über uns und den reizbarsten aller Zustände, der jede Ungerechtigkeit des Urtheils entschuldbar machen würde; – aber wir wollen nicht entschuldigt sein, gerade jetzt wollen wir zeigen, dass wir 'ohne Schuld' sein können. Wir befinden uns in förmlichen Krämpfen des Hochmuths. – Und nun kommt der erste Dämmerchein der Milderung, der Genesung – und fast die erste Wirkung ist, dass wir uns gegen die Übermacht unseres Hochmuthes wehren: wir nennen

uns darin albern und eitel, – als ob wir Etwas erlebt hätten, das einzig wäre! Wir demüthigen ohne Dankbarkeit den allmächtigen Stolz, durch den wir eben den Schmerz ertragen und verlangen heftig nach einem Gegengift des Stolzes: wir wollen uns entfremdet und entpersönlicht werden, nachdem der Schmerz uns zu gewaltsam und zu lange *persönlich* gemacht hatte. ‘Weg, weg mit diesem Stolze! Rufen wir, er war eine Krankheit und ein Krampf mehr!’ (M 114, KSA KSA 3.106).

The experience of pain, rather than to turn him against life, has actually given the sufferer the opportunity to enjoy the most *human* of pleasures known to man, that of judging and evaluating. This makes life even more desirable. Although the passage under discussion does not refer to *Übermenschlichkeit*, and can even be seen to depict the suffering of weak individuals, it can certainly be argued that pain, correctly understood, has a unique ability to bring out *strength*. The self attains its highest distinction precisely in circumstances that would seem to be urging towards its complete degradation, seizing the opportunity for re-creating the self that only such circumstances can offer. This is particularly true of Oedipus and Orestes, who get the opportunity to reconcile themselves with their fate after the tragic moment of *anagnorisis*. Important for our purpose, *Übermenschlichkeit* shows itself not only in a willingness to accept pain and injustice as a necessary part of the order of things, but even to seek it out as providing an opportunity to enhance strength. It is indeed easier to say what the *Übermensch* is *not*, than to provide even a working definition, and first on the list of negatives is Buddhism. Although there are certain superficial similarities, the *Übermensch* does not aim for an ultimate state of harmony as the ideal of a just man. If anything, the just man is an *agon* on a small scale. Such an individual will deliberately seek out sources for strife: the ugly, the painful, the tragic, as possible material to be sublimated and incorporated into a great life:

Aber dies – ich gab es schon zu verstehn – ist Pessimisten-Optik und ‘böser Blick’ –: man muss an die Künstler selbst appelliren. Was theilt der tragische Künstler von sich mit? Ist es nicht gerade der Zustand ohne Furcht vor dem Furchtbaren und Fragwürdigen, das er zeigt? – Dieser Zustand selbst ist eine hohe Wünschbarkeit; wer ihn kennt, ehrt ihn mit den höchsten Ehren. Er theilt ihn mit, er muss ihn mittheilen, vorausgesetzt, dass er ein Künstler ist, ein Genie der Mittheilung. Die Tapferkeit und Freiheit des Gefühls vor einem mächtigen Feinde, vor einem erhabenen Ungemach, vor einem Problem, das Grauen erweckt – dieser siegreiche Zustand ist es, den der tragischen Künstler auswählt, den er verherrlicht. Vor der Tragödie feiert das Kriegerische in unserer Seele seine Saturnalien; wer Leid gewohnt ist, wer Leid aufsucht, der heroische Mensch preist mit der Tragödie sein Dasein, –

ihm allein kredenzt der Tragiker den Trunk dieser süssesten Grausamkeit – (GD ‘Streifzüge eines Unzeitgemässen’ 24, KSA 6.128).

The same could not, however, be said of the Christian ascetic. As Nietzsche explains throughout the *Genealogie*,<sup>194</sup> when man’s protestations against the cruelty of the world fell upon deaf ears, man turned against himself, and actually began to thirst for pain in the rather perverse manner of the modern subject, creating for himself concepts like sin, guilt, and divine punishment. The Stoic by contrast, seeks to overcome the temptation of becoming ‘addicted’ to suffering, preferring instead the opportunity to move on to higher ground.

Among Nietzsche’s many uncomfortable ideas is the notion that even cruelty can be an expression of richness and strength, and this uncomfoting thought has often been overlooked, or rather avoided by commentators. Yet cruelty plays a role almost as important as that of mercy in the overcoming of the economy of the subject.<sup>195</sup> Whether one is speaking of cruelty or mercy is less important as to whether it is interpreted as a force of differentiation or an element in the narrow economy of give and take.

Oh meine Thiere, seid auch ihr grausam? Habt ihr meinem grossen Schmerze zuschaun wollen, wie Menschen thun? Der Mensch nämlich ist das grausamste Thier.

Bei Trauerspielen, Stierkämpfen und Kreuzigungen ist es ihm bisher am wohlsten geworden auf Erden; und als er sich die Hölle erfand, siehe, da war das sein Himmel auf Erden (Z III, ‘KSA 4.273).

Moreover, on the crux of the second essay of the *Genealogy* in *Ecce Homo* Nietzsche says: ‘Die Grausamkeit als einer der ältesten und unwegdenkbarsten Cultur-Untergründe hier zum ersten Male ans Licht gebracht’ (EH ‘Genealogie der Moral’, KSA 6.352). This conviction takes shape gradually through Nietzsches work and grew from the conviction that the purity and beauty of ancient Greece emerged only after a long comfortless period of dark crudity and cruelty. He adds that one can speak of spring only when there has been a winter that preceded it. When pleasure

---

<sup>194</sup> See below. See also GD KSA 6.96: Heute, wo wir in die umgekehrte Bewegung eingetreten sind, wo wir Immoralisten zumal mit aller Kraft den Schuldbegriff und den Strafbegriff aus der Welt wieder herauszunehmen und Psychologie, Geschichte, Natur, die gesellschaftlichen Institutionen und Sanktionen von ihnen zu reinigen suchen, giebt es in unsern Augen keine radikalere Gegnerschaft als die der Theologen, welche fortfahren, mit dem Begriff der ‘sittlichen Weltordnung’ die Unschuld des Werdens durch ‘Strafe’ und ‘Schuld’ zu durchseuchen. Das Christenthum ist eine Metaphysik des Henkers.

<sup>195</sup> Cruelty is defined simply as ‘a disposition to inflict suffering, indifference to, or delight in, pain and misery, heartlessness, especially as exhibited in action’. (OED).

accompanies the infliction of evil – when one strongly *feels* the joy of stretching one’s power to the limits, only then can one speak of living life to the fullest.

Nietzsche sees the intertwined *folie à deux* of pleasure and pain as essential to the exercise of the will to power. To exercise this will inevitably implies the courting of cruelty, but even more, the positive *enjoyment* of the pain and agony that suffering causes. ‘Einst blickte die Seele verächtlich auf den Leib: und damals war diese Verachtung das Höchste: – sie wollte ihn mager, grässlich, verhungert. So dachte sie ihm und der Erde zu entschlüpfen. Oh diese Seele war selber noch mager, grässlich und verhungert: und Grausamkeit war die Wollust dieser Seele!’ (Z Vorrede 3, KSA 4.15).

Nietzsche contends that at first, these pleasures were public. Cruelty is one of the oldest festive joys of mankind. It is not long since princely weddings and public festivals of the more magnificent types were unthinkable without executions, torturing, and perhaps an *auto da fe*,<sup>196</sup> and no noble household was complete without a creature upon whom one could heedlessly vent one’s malice and cruel jokes.<sup>197</sup>

Jedenfalls ist es noch nicht zu lange her, dass man sich fürstliche Hochzeiten und Volksfeste grössten Stils ohne Hinrichtungen, Folterungen oder etwa ein Autodafé nicht zu denken wusste, insgleichen keinen vornehmen Haushalt ohne Wesen, an denen man unbedenklich seine Bosheit und grausame Neckerei auslassen konnte ( – man erinnere sich etwa Don Quixote’s am Hofe der Herzogin: wir lesen heute den ganzen Don Quixote mit einem bitteren Geschmack auf der Zunge, fast mit einer Tortur und würden damit seinem Urheber und dessen Zeitgenossen sehr fremd, sehr dunkel sein, – sie lasen ihn mit allerbestem Gewissen als das heiterste der Bücher, sie lachten sich an ihm fast zu Tod) (GM II 18, KSA KSA 5.302).

For millennia, societies have been organized hierarchically and allowed the man with prestige to enjoy the cruel pleasure of exciting envy and permitting him to vent his power freely upon the powerless, the voluptuous pleasure, ‘die Wollust *de faire le mal pour le plaisir de le faire*, der Genuss in der Vergewaltigung: *de faire mal pour la plaisir de le faire*’ (GM II 18, KSA. 5.300).

The process of internalization cripples man’s animal instincts, while shared taboos make the exercise of the will to power difficult and sometimes even

---

<sup>196</sup> The public announcement and execution of the sentence of the Inquisition, with the attendant ceremonies, such as the burning at the stake. Literally translated from the Spanish it means 'act of faith'.

<sup>197</sup> René Girard confirms this thesis by pointing out the importance of the scapegoat in constructing communal unity.

impossible. At the same time, in some rare souls, the masochistic pleasures of self-rule somehow strengthen the will to power in all its cruel splendour – the old animal instincts cultivated with foresight and transfigured through the use of memory, imagination and reason erupt in new forms of mastery:

Diese heimliche Selbst-Vergewaltigung, diese Künstler-Grausamkeit, diese Lust, sich selbst als einem schweren widerstrebenden leidenden Stoffe eine Form zu geben, einen Willen, eine Kritik, einen Widerspruch, eine Verachtung, ein Nein einzubrennen, diese unheimliche und entsetzlich-lustvolle Arbeit einer mit sich selbst willig-zwiespältigen Seele, welche sich leiden macht, aus Lust am Leidenmachen, dieses ganze aktivische ‘schlechte Gewissen’ hat zuletzt – man erräth es schon – als der eigentliche Mutterschooss idealer und imaginativer Ereignisse auch eine Fülle von neuer befremdlicher Schönheit und Bejahung an's Licht gebracht und vielleicht überhaupt erst die Schönheit...(GM II, KSA 5.326).

Nietzsche’s real objection to cruelty is its abuse in the moralizing context. Cruelty, as a form of violent differentiation, an artist’s weapon of form-giving, has a certain limited legitimacy. In *Beyond Good and Evil*, Nietzsche surveys this history by employing the metaphor of a ladder. The great ladder of religious cruelty, as he identifies it, consists of three rungs. The first leads to the sacrifice of humans for the sake of a god. Next, one sacrificed one's instincts, one's ‘nature’: *this* festive joy ‘lights up the cruel eyes of the ascetic’. Finally, the greatest sacrifice possible: the sacrifice of God himself. This is the form of cruelty proper to the philosopher. Governed by the will to truth, nurtured and preserved by the practice of asceticism, the philosopher appears: Recognizing that the idea of truth is in itself a kind of fiction, he spares nothing in telling his audience that everything they hold dear as solid and certain about the world, is, on closer inspection, demonstrably accidental, contingent or false - religions, laws, moralities, ideas, philosophies.

This brings us to the true purpose of Nietzsche’s resurrection of cruelty in the name of the overcoming of what has hitherto passed as justice. While we have seen that Nietzsche unambiguously condemns punishment as a means to maintain a moral order, he certainly leaves room for cruelty as a means of violent differentiation. The crucial difference is that the cruelty he espouses is a cruelty bereft of any moralistic content: it is an artist’s cruelty. Cruelty is a means for the legislator: it is a way of demarcating what the particular artist deems to be good or bad. It manifests itself



through the cold stare of the aristocrat, the contempt of the strong for the weak, and of course, the healthy hardness of the creator:

Und ich selber – will ich damit des Menschen Ankläger sein? Ach, meine Thiere, Das allein lernte ich bisher, dass dem Menschen sein Bösestes nöthig ist zu seinem Besten, –  
– dass alles Böseste seine beste *Kraft* ist und der härteste Stein dem höchsten Schaffenden; und dass der Mensch besser und böser werden muss (Z II 2, ‘Der Genesende’ KSA 4.271).

Nietzsche’s justice does indeed distinguish between better and inferior, but does not tar the inferior with the label ‘evil’. Instead of hatred, he feels *contempt* for the inferior, and he describes his own texts as a study in contempt: ‘Man hat meine Schriften eine Schule des Verdachts genannt, noch mehr der Verachtung, glücklicherweise auch des Muthes, ja der Verwegenheit’ (MA Vorrede I, KSA 2.13). In *Also Sprach Zarathustra* again, he sees the ability to despise as one of the greatest virtues of the ‘higher type’: ‘Dass ihr verachtetet, ihr höheren Menschen, das macht mich hoffen, Die grossen Verachtenden nämlich sind die grossen Verehrenden’ (Z IV, ‘Vom höheren Menschen’ (KSA 4.357). In this way, Homer’s scorn is reserved not for the ‘evil’ Achilles, but for the weak and contemptible Thersites, who, being a coward, lacked the aristocratic strength that would signify his superiority over others. In the *Iliad*, he is singled out as an object of ridicule.

A particular reason for this could be said to be his inability to be *tragic*. Cowardice can be expressed as the fear experienced in the face of cosmic injustice, a desperate desire to read something *personal* in an order that is merely committed to its own ebb and flow. Tragic wisdom – *amor fati* indeed – is the refusal to submit to pain in a masochistic embrace of suffering, to accept it in a manner of Stoic indifference. Pessimistic resignation is still nihilism. Tragic wisdom, or the love of fate, is to greet the tragic revelation of suffering and strife not merely as ineradicable, but as absolutely necessary to being fully alive to the experience of being one with oneself<sup>198</sup> and the world, at ease with one’s mortality, oneself as situated in time, and subject, just like other creatures, to pain and death. This is what it means to answer in the affirmative to the demon’s question. In the tragic theatre of the most optimistic of tragic peoples, the Greeks, figures like Antigone, Oedipus and Orestes gave dramatic

---

<sup>198</sup> Not to be confused with the metaphysical desire for a single, solid subject.

presence to one of the oldest questions haunting man, the *injustice* of human existence. The ultimate answer to a cosmos that provides the background to our pain and suffering, yet remains indifferent to our pain, is to declare pain *holy*:

Denn erst in den dionysischen Mysterien, in der Psychologie des dionysischen Zustands spricht sich die Grundthatsache des hellenischen Instinkts aus – sein ‘Wille zum Leben’. Was verbürgte sich der Hellene mit diesen Mysterien? Das ewige Leben, die ewige Wiederkehr des Lebens; die Zukunft in der Vergangenheit verheissen und geweiht; das triumphirende Ja zum Leben über Tod und Wandel hinaus; das wahre Leben als das Gesamt-Fortleben durch die Zeugung, durch die Mysterien der Geschlechtlichkeit. Alles Einzelne im Akte der Zeugung, der Schwangerschaft, Die Geburt erweckte die höchsten und feierlichsten Gefühle. In der Mysterienlehre ist der Schmerz heilig gesprochen: die Wehen der Gebälerin heiligen den Schmerz überhaupt, – alles Werden und Wachsen, alles Zukunft-Verbürgende bedingt den Schmerz ... Damit es die ewige Lust des Schaffens giebt, damit der Wille zum Leben sich ewig selbst bejaht, muss es auch ewig die ‘Qual der Gebälerin’ geben ... (*GD* ‘Was ich den Alten verdanke’ 4, KSA 6.159)

As we have seen in chapter one, in *Oedipus* we encounter a being who in spite – but *not because* – of his wisdom is destined to suffer, but eventually overcomes this suffering to spread a ‘magical power’ of blessings even as far as Athens. Likewise, in Aeschylus’ *Prometheus* the act of sacrilege through which human culture begins is sublimated and the conflict between the gods is resolved. In the poet’s conception of the Fates as ultimate arbiters of justice in the divine and mortal worlds alike, we find a restoration of order and a sense of meaning and a higher form of piety in both parties. But above all, the fates allow the world to *go on*. Every ‘restoration’ by the fates is like the cleaning of the palate after an over-rich dish: it allows new tastes to be appreciated and opens a space for new adventures to be undertaken. In this sense, Nietzsche’s themes of forgetting and mercy play the same role as ancient *dikē*: it prevents the world from choking on its own eventfulness.<sup>199</sup> This is how *dikē* operates in the *Oresteia*, for example: Athena, by pardoning Orestes and placating the Furies, allows the cursed family of Agamemnon to begin on a clean slate. In ancient tragedy, the means for elevating the spirit lies in the very conditions of its disgrace. A discovery of a higher order, a higher form of justice in the midst of chaos and injustice comprises for Nietzsche the heart of ancient tragedy and the essence of ancient justice. It is not enough to pass through the valley of the shadow of death

---

<sup>199</sup> See next section for a further explanation of this notion in Nietzsche’s conception of the historical.

unharmful. One has to return refreshed and invigorated, with a new lust for life before one can truly claim to have justified existence.

#### 4. Practising *Übermenschlichkeit*: Examples from History and Philology

Nowhere does Nietzsche discuss the problem of justice more explicitly than in his analysis of the problem that history presents to those who happen to be born in late modernity. History tends to be cruel towards the latecomers: it presents nothing short of *itself* as a major problem. Even in his critique of the Romantics does Nietzsche see a nihilistic intensification of the general problem of the relationship between the past and the present. The particular neurosis that Nietzsche identified in Romanticism is its peculiar reliance on repetitive and minimalist themes, for example in the music of Wagner, which reflects the minimization of the historical present in modernity. It has been noted that there is a clear link between the *avant-garde* of the late nineteenth century and the historicism of that period. The latter is saturated by the past, while the former is self-consciously trying to escape from it. While Nietzsche notes that ‘Wir Gegenwärtigen fangen eben an, die Kette eines zukünftigen sehr mächtigen Gefühls zu bilden, Glied um Glied, – wir wissen kaum, was wir thun’ (*FW* 337, *KSA* 3.564). This orientation towards the future is accompanied by an excessive historical sense. It is precisely because modern Europe is so saturated with its own history that Homer can be enjoyed as something *exotic*. It is however with longing for their ‘fresh’ eyes and ‘clean palate’ that the modern European reads Homer:

Wir geniessen zum Beispiel Homer wieder: vielleicht ist es unser glücklichster Vorsprung, dass wir Homer zu schmecken verstehen, welchen die Menschen einer vornehmen Cultur (etwa die Franzosen des siebzehnten Jahrhunderts, wie Saint-Evremond, der ihm den esprit vaste vorwirft, selbst noch ihr Ausklang Voltaire) nicht so leicht sich anzueignen wissen und wussten, – welchen zu geniessen sie sich kaum erlaubten. Das sehr bestimmte Ja und Nein ihres Gaumens, ihr leicht bereiter Ekel, ihre zögernde Zurückhaltung in Bezug auf alles Fremdartige, ihre Scheu vor dem Ungeschmack selbst der lebhaften Neugierde, und überhaupt jener schlechte Wille jeder vornehmen und selbstgenügsamen Cultur, sich eine neue Begehrlichkeit, eine Unbefriedigung am Eigenen, eine Bewunderung des Fremden einzugestehen: alles dies stellt und stimmt sie ungünstig selbst gegen die besten Dinge der Welt, welche nicht ihr Eigenthum sind oder ihre Beute werden könnten, – und kein Sinn ist solchen Menschen unverständlicher, als gerade der historische Sinn und seine unterwürfige Plebejer-Neugierde (*JGB* 224, *KSA* 5.159).

Although this section is ostensibly about the eclectic tastes of modern Europe, it is also about the historicization of culture, and the subsequent disappearance of the present in a kaleidoscope of ‘pasts’. He argues:

durch dieses Uebermaass wird der jederzeit schädliche Glaube an das Alter der Menschheit, der Glaube, Spätling und Epigone zu sein, gepflanzt; durch dieses Uebermaass geräth eine Zeit in die gefährliche Stimmung der Ironie über sich selbst und aus ihr in die noch gefährlichere des Cynismus: in dieser aber reift sie immer mehr einer klugen egoistischen Praxis entgegen, durch welche die Lebenskräfte gelähmt und zuletzt zerstört werden (*UB II 5, KSA 1.279*).

Adding insult to injury is the illusion that the latecomers in the process of history ‘die Gerechtigkeit, in höherem Grade besitze als jede andere Zeit’ (*ibid*). For Nietzsche, an essential part of the crisis of modernity is the strange phenomenon of a metaphysics that is at once intensifying and unravelling. Unravelling, because it is no longer epistemologically tenable, and yet intensifying, because the metaphysical denigration of physical existence is intensified by the temporal consciousness of modernity.

Nietzsche’s ‘Vom Nutzen und Nachtheil der Historie für das Leben’ opens with the famous consideration of a grazing herd that is free from the burden of history:

Betrachte die Heerde, die an dir vorüberweidet: sie weiss nicht was Gestern, was Heute ist, springt umher, frisst, ruht, verdaut, springt wieder, und so vom Morgen bis zur Nacht und von Tage zu Tage, kurz angebunden mit ihrer Lust und Unlust, nämlich an den Pflock des Augenblickes und deshalb weder schwermüthig noch überdrüssig. Dies zu sehen geht dem Menschen hart ein, weil er seines Menschenthums sich vor dem Thiere brüstet und doch nach seinem Glücke eifersüchtig hinblickt – denn das will er allein, gleich dem Thiere weder überdrüssig noch unter Schmerzen leben, und will es doch vergebens, weil er es nicht will wie das Thier. Der Mensch fragt wohl einmal das Thier: warum redest du mir nicht von deinem Glücke und siehst mich nur an? (*UB II, 1, KSA 1.248*).

This joyful spectacle stimulates the desire in man to emulate it, but the cattle when faced with the human request to reveal the source of their happiness, simply forget to answer and so remain silent. The human being, by contrast, is weighed down with the memory of the past, and one can describe his essential historicity as a fundamental determinant of the human condition. So much so that the human is even *surprised* by

his own inability to forget. Despite his best intentions to run from it, memory is a primal determinant of the human being. As we have seen in chapter three, Nietzsche's analysis of metaphysics in 'Ueber Wahrheit und Lüge im aussermoralischen Sinne' has demonstrated the constitutive function of memory in the construction of concepts. In *UB II*, however, he asks:

Denkt euch das äusserste Beispiel, einen Menschen, der die Kraft zu vergessen gar nicht besässe, der verurtheilt wäre, überall ein Werden zu sehen: ein Solcher glaubt nicht mehr an sein eigenes Sein, glaubt nicht mehr an sich, sieht alles in bewegte Punkte auseinander fließen und verliert sich in diesem Strome des Werdens: er wird wie der rechte Schüler Heraklits zuletzt kaum mehr wagen den Finger zu heben. Zu allem Handeln gehört Vergessen: wie zum Leben alles Organischen nicht nur Licht, sondern auch Dunkel gehört (*UB II*, KSA 1.249).

Paradoxically, then, man needs the ability to remember in order to think, but the ability to forget in order to act. Or as Nietzsche puts it: 'Dies gerade ist der Satz, zu dessen Betrachtung der Leser eingeladen ist: das Unhistorische und das Historische ist gleichermaassen für die Gesundheit eines Einzelnen, eines Volkes und einer Cultur nöthig' (*UB I*, KSA 1.252). Formulating what would later become a fully-blown doctrine of perspectivism, Nietzsche insists upon the necessity of a temporal horizon in order to bring an overwhelming flux of time and history – the excess of history and time – temporarily to a standstill.

Es ist wahr: erst dadurch, dass der Mensch denkend, überdenkend, vergleichend, trennend, zusammenschliessend jenes unhistorische Element einschränkt, erst dadurch dass innerhalb jener umschliessenden Dunstwolke ein heller, blitzender Lichtschein entsteht, also erst durch die Kraft, das Vergangene zum Leben zu gebrauchen und aus dem Geschehenen wieder Geschichte zu machen, wird der Mensch zum Menschen: aber in einem Uebermaasse von Historie hört der Mensch wieder auf, und ohne jene Hülle des Unhistorischen würde er nie angefangen haben und anzufangen wagen. Wo finden sich Thaten, die der Mensch zu thun vermöchte, ohne vorher in jene Dunstschicht des Unhistorischen eingegangen zu sein? (*UB II*, KSA1.253).

There is a bleak irony in Nietzsche's reflection on justice in section one of the second *Unzeitgemässe Betrachtung*, in that it is the man with a *wider* horizon that is unable to reach a state of justice as strength. As we have seen, justice is usually associated with conditions of richness and potency. But this is precisely what a man with a wide

horizon *lacks*. Made hesitant, tentative by his great learning and wide frame of reference, historical man lacks the single-minded vigor of the unhistorical man. Life itself appears to favor the unjust and the ignorant by giving them the ‘strength of the ignorant’, decisiveness and self-assurance. Ironically, this would constitute a more *just* position than that of the self-conscious historian:

Es ist der ungerechteste Zustand von der Welt, eng, undankbar gegen das Vergangene, blind gegen Gefahren, taub gegen Warnungen, ein kleiner lebendiger Wirbel in einem toten Meere von Nacht und Vergessen: und doch ist dieser Zustand – unhistorisch, widerhistorisch durch und durch – Die Geburtsschooss nicht nur einer ungerechten, sondern vielmehr jeder rechten That; und kein Künstler wird sein Bild, kein Feldherr seinen Sieg, kein Volk seine Freiheit erreichen, ohne sie in einem derartig unhistorischen Zustande vorher begehrt und erstrebt zu haben (*UB II*, KSA 1.254).

At the beginning of section six of the second *Unzeitgemässe Betrachtung* Nietzsche asks two very important questions. Firstly, he raises the question of whether, on account of his much-touted desire for ‘objectivity’, modern man can call himself ‘just’, which Nietzsche then proceeds to identify with *strength*. He then continues to ponder the question by asking whether this automatic association of justice and objectivity is *justified*. With regard to the nature of truth and justice, Nietzsche presents the case for *strength*. Against the contemporary champions of ‘objectivity’ he states in *UB II* 6:

Nur insofern der Wahrhafte den unbedingten Willen hat, gerecht zu sein, ist an dem überall so gedankenlos glorificirten Streben nach Wahrheit etwas Grosses.....(KSA1.287).

He goes on to explicitly link justice with truth – ‘Wahrheit, das seine Wurzel in der Gerechtigkeit hat’... in order to correct the erroneous privileging of the disinterested spectator. The disinterested spectator tends to think of Truth almost in quantifiable terms: *the* truth, which must be hunted down and captured at all costs.<sup>200</sup> Nietzsche denies that the quest for objectivity arises from a desire to do justice to the facts because modern man lack the stern will required for just action.

Instead, an *evaluative* notion of truth is required. As we have seen, truth is created, not discovered, and it should be done based on the needs of the present.

---

<sup>200</sup> See chapter three.

Furthermore, the world presents more than enough matter for the historian to do so: if anything, there is an oversupply of truth, not a lack of it. The world appears to give *everything* man needs, *except justice*: like the rain that falleth on the just as well as the unjust, the world gives birth to the just as well as the unjust.

doch ist dieser Zustand – unhistorisch, widerhistorisch durch und durch – Die Geburtsschooss nicht nur einer ungerechten, sondern vielmehr jeder rechten That; und kein Künstler wird sein Bild, kein Feldherr seinen Sieg, kein Volk seine Freiheit erreichen, ohne sie in einem derartig unhistorischen Zustande vorher begehrt und erstrebt zu haben (*UB II*, KSA 1.254).

It is up to man, or more precisely, the *Übermensch* to separate the two. That is why the historian must have ‘the outward tranquil, but inwardly flashing eye of the artist’. Nietzsche therefore makes a similar case as he elsewhere does for the artist: emphasizing creative engagement rather than disinterested spectatorship.

A significant section of *UB II* is devoted to the discussion of specific types of historiography prevalent in the nineteenth century, namely antiquarian history, monumental history and critical history. Antiquarian history certainly practises the Zarathustrian injunction to love, unfortunately with Othello’s lack of subtlety. Antiquarian history preserves everything without distinction simply because it belongs to the past. It is the quintessential example of the hypertrophic historical sense that haunts modernity: it simply cannot let go. It is characterized by a ‘repulsive’ and blind rage for collecting, a pointless raking together of everything that ever existed. It practises no justice because it does not discriminate and therefore mummifies history into something that is of no real use to the present, thereby committing injustice to both the past and the present.

By contrast, monumental history is capable of exercising a selective appropriation of the past with the aim of making it useful for the present. It operates on a logic of analogy, providing models for those who lack it in the present.

Denn sein Gebot lautet: das was einmal vermochte, den Begriff ‘Mensch’ weiter auszuspannen und schöner zu erfüllen, das muss auch ewig vorhanden sein, um dies ewig zu vermögen. Dass die grossen Momente im Kampfe der Einzelnen eine Kette bilden, dass in ihnen ein Höhenzug der Menschheit durch Jahrtausende hin sich verbinde, dass für mich das Höchste eines solchen längst vergangenen *Momentes* noch lebendig, hell und gross sei – das ist der Grundgedanke im Glauben an die Humanität, der sich in der Forderung einer *monumentalischen* Historie ausspricht (*UB II 2*, KSA 1.259).

But an ethic of mimesis is not enough. Not only does it set unreachable goals through a process of mythologizing, it also inspires the courageous to foolhardiness and the spirited to fanaticism. Monumental history depends upon a *falsification* of history: this is where the demand for truth and justice in the domain of the historical meet.

It is in the practice of critical history that the historian once again uses his art in the service of life. It is highly suggestive that Nietzsche explicitly employs legal language when speaking of the genuine historian's duty towards his subject matter:

Hier wird es deutlich, wie nothwendig der Mensch, neben der monumentalischen und antiquarischen Art, die Vergangenheit zu betrachten, oft genug eine *dritte* Art nöthig hat, *die kritische*: und zwar auch diese wiederum im Dienste des Lebens. Er muss die Kraft haben und von Zeit zu Zeit anwenden, eine Vergangenheit zu zerbrechen und aufzulösen, um leben zu können: dies erreicht er dadurch, dass er sie vor Gericht zieht, peinlich inquirirt, und endlich verurtheilt; jede Vergangenheit aber ist werth verurtheilt zu werden – denn so steht es nun einmal mit den menschlichen Dingen: immer ist in ihnen menschliche Gewalt und Schwäche mächtig gewesen. Es ist nicht die Gerechtigkeit, die hier zu Gericht sitzt; es ist noch weniger die Gnade, die hier das Urtheil verkündet: sondern das Leben allein, jene dunkle, treibende, unersättlich sich selbst begehrende Macht. Sein Spruch ist immer ungnädig, immer ungerecht, weil er nie aus einem reinen Borne der Erkenntniss geflossen ist; aber in den meisten Fällen würde der Spruch ebenso ausfallen, wenn ihn die Gerechtigkeit selber spräche. 'Denn Alles was entsteht, ist *werth*, dass es zu Grunde geht. Drum besser wär's, dass nichts entstünde.' Es gehört sehr viel Kraft dazu, leben zu kanna und zu vergessen, in wiefern leben und ungerecht sein Eins ist. Luther selbst hat einmal gemeint, dass die Welt nur durch eine Vergesslichkeit Gottes entstanden sei; wenn Gott nämlich an das 'schwere Geschütz' gedacht hätte, er würde die Welt nicht geschaffen haben (UB II, KSA 1.269).

What is important in this rather lengthy quote is the insight that the critical historian is exposed to nihilism. There are no ultimate rules or standards according to which one can measure worth or usefulness for life, everything deserves to perish. This is the ultimate or only law that governs the universe. Against this Silenian wisdom, the genuine historian must draw a protective horizon or limit. By this act of legislation, he would have demarcated a space that is genuinely useful to life. This is why mere objectivity is not enough. The just man is at once the rarest and the most admired figure, the most venerable exemplar of the species man: 'Wahrlich, niemand hat in höherem Grade einen Anspruch auf unsere Verehrung als der, welcher den Trieb und die Kraft zur Gerechtigkeit besitzt. Denn in ihr vereinigen und verbergen



sich die höchsten und seltensten Tugenden wie in einem unergründlichen Meere, das von allen Seiten Ströme empfängt und in sich verschlingt' (*UB II 5*, KSA 1.286). The truth that the just man seeks, differs from mere cold, instrumental knowledge, but serves him to make judgements on humanity, aiding him in his necessary task of legislation and differentiation. Above all, the just man is not *afraid* to judge:

Die Hand des Gerechten, der Gericht zu haltenbefugt ist, erzittert nicht mehr, wenn sie die Wage hält; unerbittlich gegen sich selbst legt er Gewicht auf Gewicht, sein Auge trübt sich nicht, wenn die Wagschalen steigen und sinken, und seine Stimme klingt weder hart noch gebrochen, wenn er das Urtheil verkündet. Wäre er ein kalter Dämon der Erkenntniss, so würde er um sich die eisige Atmosphäre einer übermenschlich schrecklichen Majestät ausbreiten, die wir zu fürchten, nicht zu verehren hätten: aber dass er ein Mensch ist und doch aus lässlichem Zweifel zu strenger Gewissheit, aus duldsamer Milde zum Imperativ „du musst“, aus der seltenen Tugend der Grossmuth zur allerseltensten der Gerechtigkeit emporzusteigen versucht, dass er jetzt jenem Dämon ähnelt, ohne von Anbeginn etwas Anderes als ein armer Mensch zu sein, und vor Allem, dass er in jedem Augenblicke an sich selbst sein Menschenthum zu büßen hat und sich an einer unmöglichen Tugend tragisch verzehrt – dies Alles stellt ihn in eine einsame Höhe hin, als das *ehrwürdigste* Exemplar der Gattung Mensch (*UB II*, KSA 1.286).

The just man actively decides what is worth knowing and preserving. Unlike the injustice that nourishes modern man's obsession with 'objectivity', genuine justice demands that history serve the aim of finding and displaying what is beautiful, rare and strong. Nietzsche goes as far as to say that justice and objectivity have nothing to do with one another (*UB II 5*). More often than not, the claim of objectivity masks a political agenda or reflects the mistaken equation of conventional norms with universal truths. Justice requires the distinction between that which is strong and noble on the one hand, and that which is weak, decadent and insignificant on the other. Objectivity, in the guise of 'neutrality' is by definition unable to do justice to strong natures and to respect the 'truth' about the difference between base and noble as these qualities manifest themselves in the world. Accordingly, 'objectivity' is to be condemned because it springs from a slavish impulse and a weak nature. It distorts facts about the nobler life and conceals its nature.

There is a certain affinity between Nietzsche's treatment of the question of justice in history and his treatment of the same question in philology. As a master of interpretation and a 'genius of justice' (Es giebt freilich auch eine ganz andere Gattung der Genialität, die der Gerechtigkeit, *MA 636*, KSA 2.361) both fields fall in

his field of expertise. In order to function, this kind of justice, just as the justice of the good historian, must have a clear, i.e. subtle or nuanced view of things: ‘muss sie es rein erkennen; sie stellt daher jedes Ding in das beste Licht und geht um dasselbe mit sorgsamem Auge herum. Zuletzt wird sie selbst ihrer Gegnerin, der blinden oder kurzsichtigen *Ueberzeugung*’ (MA 636 KSA 2.362). This genius of interpretation has grasped the element of perspective present in every value judgement, and therefore does not attempt to restrict the proliferating *play* involved in the process of interpretation with untenable notions like ‘objectivity’. Against the shortsightedness of ‘convictions’ Nietzsche posits Argos, the hundred-eyed, who is capable of experiencing a number of different perspectives simultaneously. Traditional objectivity is replaced with a more playful version, a more *active* form of objectivity than the *static* version of the past that held onto the objectivity as some kind of golden mean. As stated before, justice understood in this sense, demands of the just man or the sovereign individual that he should take up the challenge to judge:

Wider begreifen lernen, die Ungerechtigkeit als unablösbar vom Leben, das Leben selbst als bedingt durch das Perspektivische und seine Ungerechtigkeit. Du solltest vor Allem mit Augen sehn, wo die Ungerechtigkeit immer am grössten ist: dort nämlich, wo das Leben am kleinsten, engsten, dürftigsten, anfänglichsten entwickelt ist und dennoch nicht umhin kann, sich als Zweck und Maass der Dinge zu nehmen und seiner Erhaltung zu Liebe das Höhere, Grössere, Reichere heimlich und kleinlich und unablässig anzubröckeln und in Frage zu stellen, – du solltest das Problem der Rangordnung mit Augen sehn und wie Macht und Recht und Umfänglichkeit der Perspektive mit einander in die Höhe wachsen. Du ‘solltest’ – genug, der freie Geist weiss nunmehr, welchem ‘du sollst’ er gehorcht hat, und auch, was er jetzt kann, was er jetzt erst darf... (MA Vorrede 6, KSA 2.221).

This passage contains one of the key goals involved in the process of a just interpretation: the establishment of an *order of rank*. The order of rank has a two-fold purpose. It at once distinguishes qualitatively on the basis of life-enhancing or life-negating criteria, and it gives form to an infinite number of possible interpretations. Two elements of justice are therefore captured at once in the quoted passage: the necessity of measure and imposing of limits on the one hand, and the need to distinguish qualitatively between the different options available to one. The capacity to create order where none had existed previously, and to legislate the potential anarchy of one’s competing and contradictory impulses and perspectives is what it means to be a just person.

Über das Chaos Herr werden das man ist; sein Chaos zwingen, Form zu werden; Nothwendigkeit werden in Form: logisch, einfach, unzweideutig, Mathematik werden; Gesetz werden –: das ist hier die große Ambition. Mit ihr stößt man zurück; nichts reizt mehr die Liebe zu solchen Gewaltmenschen – eine Einöde legt sich um sie, ein Schweigen, eine Furcht wie vor einem großen Frevel... (Aphorism 12214, KSA 13.246).<sup>201</sup>

Those who are capable of giving order to themselves and to the world practises what Nietzsche calls the ‘grand style’ (*grosses Stil*). It is Nietzsche’s hope that a new type of person, a person who views himself and the world which he inhabits – with politics, history and culture included – as an artist views his material. That is to say, as someone who is not afraid of the antithetical or rather chaotic character of existence, and maintains a formative power of discipline over himself and the world, creating a picture of wholeness.

Ich zeige auf etwas Neues hin: gewiß, für ein solches demokratisches Wesen giebt es die Gefahr des Barbaren, aber man sucht sie nur in der Tiefe. Es giebt auch eine andere Art Barbaren, die kommen aus der Höhe: eine Art von erobernden und herrschenden Naturen, welche nach einem Stoffe suchen, den sie gestalten können. Prometheus war ein solcher Barbar (Aphorism 10168, KSA 11.458)

The good historian, for example, is this latter kind of barbarian. He partakes of *Übermenschlichkeit* if he practises his art well. However, one should be careful not to equate the two concepts (that is, barbarism and *Übermenschlichkeit*) too easily. After all, the *Übermensch* does not live by history alone. Because so much is at stake where historical judgement is concerned, historians are easily corrupted and it is likely that the true judge will generate universal hatred.<sup>202</sup> This is why justice is *the* rarest virtue:

So scheint zwar die Welt voll zu sein von solchen, die ‘der Wahrheit dienen’; und doch ist die Tugend der Gerechtigkeit so selten vorhanden, noch seltener erkannt und fast immer auf den Tod gehasst: wohingegen die Schaar der scheinbaren Tugenden zu jeder Zeit geehrt und prunkend einherzog (UB II 6, KSA 1.287).

---

<sup>201</sup> See also aphorism 10167, *NL* 1884-1885, KSA 11.457.

<sup>202</sup> See the beginning of the chapter: the just, the giving and the strong are nearly always misunderstood.

The disinterested spectator, who vainly aims at ‘objectivity’, as we have seen in chapter three, is bound to be caught in the trap of nihilism: No ultimate values, no ultimate meaning, and radical individualism. However, the ‘facts’ of nihilism can either lead to a denial of the worth of life and spiritual torpor, or an affirmation of life and creative will. It is necessary to include the negative in this process of affirmation. In *Die Fröhliche Wissenschaft* 19 Nietzsche emphasizes the necessity of ‘evil’ for a fruitful life:

*Das Böse.* – Prüfet das Leben der besten und fruchtbarsten Menschen und Völker und fragt euch, ob ein Baum, der stolz in die Höhe wachsen soll, des schlechten Wetters und der Stürme entbehren könne: ob Ungunst und Widerstand von aussen, ob irgend welche Arten von Hass, Eifersucht, Eigensinn, Misstrauen, Härte, Habgier und Gewaltsamkeit nicht zu den *begünstigenden* Umständen gehören, ohne welche ein grosses Wachsthum selbst in der Tugend kaum möglich ist? Das Gift, an dem die schwächere Natur zu Grunde geht, ist für den Starken Stärkung – und er nennt es auch nicht Gift (*FW* 19, KSA 3.390).

Poison is not always called poison because its meaning depends upon its use. Poison demands a subtle hand. Similarly, just as there are no actual antipodes of good and evil or good and bad, but only differences of degree, so are all moral and even aesthetic categories used to describe the world but shorthand to describe a myriad different phenomena and conditions. Any attempt to venture into this plethora of ambiguity is bound to place a premium of nuance. According to Nietzsche, the highest thinker, the greatest lawmaker, is able to evaluate without opposites (*JGB* 2), but is able to think in *degrees*. It follows then that the best one could gain from life is to develop ‘die Kunst der Nuance’ (*JGB* 31, KSA 5.49), or the art of judgement.

Even Dionysos, so easily associated with chaos and measurelessness, is a *judge*. And to judge is to exercise critique. Judgement entails the capacity to reject, to accept and to set standards according to which this happens. In other words, judgement entails an evaluation according to which inadequacy can be proven. Rather than to simply prove as a positive doctrine that all things repeat endlessly, acceptance of the eternal recurrence was supposed to be the means by which the chaff is separated from the wheat: those who joyfully accept the challenge pass, those who buckle under the great strain of facing up to an unjust world whose only justice would be that legislated by oneself, fail the test. As early as *Die Geburt der Tragödie*, Dionysos is conceived as a judge:

Vor der deutschen Musik aber mag sich der Lügner und Heuchler in Acht nehmen: denn gerade sie ist, inmitten aller unserer Cultur, der einzig reine, lautere und läuternde Feuergeist, von dem aus und zu dem hin, wie in der Lehre des grossen Heraklit von Ephesus, sich alle Dinge in doppelter Kreisbahn bewegen: alles, was wir jetzt Cultur, Bildung, Civilisation nennen, wird einmal vor dem untrüglichen Richter Dionysus erscheinen müssen (*GT* 19, KSA 1.128).

And:

Als der griechische Leib und die griechische Seele ‘blühte’, und nicht etwa in Zuständen krankhafter Überschwänglichkeit und Tollheit, entstand jenes geheimnißreiche Symbol der höchsten bisher auf Erden erreichten Welt-Bejahung und Daseins-Verklärung. Hier ist ein Maaßstab gegeben, an dem Alles, was seitdem wuchs, als zu kurz, zu arm, zu eng befunden wird: — man spreche nur das Wort ‘Dionysos’ vor den besten neueren Namen und Dingen aus, vor Goethe etwa, oder vor Beethoven, oder vor Shakespeare, oder vor Raffael: und auf Ein Mal fühlen wir unsre besten Dinge und Augenblicke gerichtet. Dionysos ist ein Richter! — Hat man mich verstanden? (Aphorism 10598, *NL* 1884-1885, KSA 11681).

This brings us to a less obvious distinction between Dionysos and the Crucified: the former seeks no converts. His justice is immanent, not transcendent, and it excludes those who do not pass his test. His is a justice for the strong, not the weak. The Eternal Recurrence must not simply be grasped conceptually and consequently accepted. It must be lived and experienced in an attitude of rapturous affirmation – the joy of the lawgiver. Paradoxically, Dionysos, the god of excess, demands from his followers the capacity to enact their own laws in order to enhance the fruitful working of the world.

Dionysos (especially the later version) represents both the chaotic action of the cosmic strife *and* the necessity for humans to flourish as lawmakers and judges within it. There is a distinctly Heraclitian quality to this Dionysian conception of justice. As we have seen, Nietzsche identifies two distinct conceptions of justice at play in the work of Heraclitus. First, there is the literal justice of trial by fire in itself, the doctrine that Heraclitus simply adopts from Anaximander. Anaximander, however, sees the operation of this cosmic fire as the operation of retributive justice. Heraclitus rejects this view in favor of an immanent lawfulness and ordering principle which finds expression in the periodic destructiveness that the cosmological order displays. In the second instance, there is the requirement that the just man accepts this ultimately indifferent principle. He can but affirm the necessity of this world-process, for it is impossible to align himself with the intentions of the cosmos. It impossible not

because of a lack on the part of men, but because, as Nietzsche (along with Heraclitus) insists, the cosmos has no intentions. Man lives in a non-teleological cosmos that is best experienced by the artist or the child at play. Whatever supplementary or human justice is required, must be created by that part of humanity that feel themselves up to the task. Nietzsche developed a reading of the Heraclitian *dikē* as *polemos*, or the law of the becoming of all things through the balance of strife and counter-strife. This vision of *dikē*, as we have mentioned in chapter one, does not locate justice in the subjective-anthropological ‘judgement’, but in the cosmological sphere of conflict. The immanent lawfulness of the cosmic agon comes from Being itself. Hence it is possible to argue that for Nietzsche, Heraclitian *logos* manifests itself in the gathering of beings as *physis* through a ceaseless process of countervailing strife, the game that time plays with itself: ‘Und so, wie das Kind und der Künstler spielt, spielt das ewig lebendige Feuer, baut auf und zerstört, in Unschuld – und dieses Spiel spielt der Aeon mit sich’ (PGH 7 KSA 1.830). *Dikē* in this sense is less judgement than *submission* to the game in the Gadamerian sense. In *Die Philosophie im tragischen Zeitalter der Griechen* Nietzsche reinterprets the world in wholly non-subjective terms as *aeon*, not simply as ‘time’ but as a force of life, a Heraclitian ‘reine Feuer’; ‘ein Bauen und Zerstören, ohne jede moralische Zurechnung, in ewig gleicher Unschuld’ (PGH 7 KSA 1.830). From time to time the eternal child throws its toys away, but takes it up again soon enough through innocent whim. When it does this, it joins together, conjoins things (*fügt*) them ‘and measures them according to the inner ordering of lawfulness’ (*Gesetzmässigkeit*). This game is marked by harmony in strife, where the conflict of different elements, directed by justice, can only be grasped as an aesthetic phenomenon. The moral impulse to view the game in teleological terms is explicitly excluded, for the cosmos – or child – can only be grasped as an aesthetic phenomenon, according to an immanent *dikē*: ‘In dem höchsten und in dem verkehrtesten Menschen offenbart sich [der Logos] die gleiche immanente Gesetzmäßigkeit und Gerechtigkeit’ (PHG 5, KSA 1.830). The conception of justice here portrayed sees the concept as as immanent force of lawfulness that balances the countervailing forces of Being in a cosmic agon of consonance vs. dissonance. This is justice in its most impersonal form. As we have indicated however, this does not entail that man should be consumed by this anonymous process. Quite the contrary: it is the absence of rigid, ultimate principles that makes the freedom of legislation possible.

## CONCLUSION: A NEW JUSTICE

Nietzsche's philosophy can be described as an attempt to liberate philosophy from the habit of thinking metaphysically. This entails a radical re-evaluation of the terms according to which virtue is conceived. This is especially true of the virtue which, at least since Plato, has been seen as *the* primary virtue, namely justice. After Nietzsche, justice can no longer be seen as a mere social virtue to be hunted down and contained in neat moral maxims. Justice, *après* Nietzsche, is no longer even restricted to the human domain: it is more a principle according to which the workings of the cosmos can be described than a social issue. But Nietzsche is no ascetic. Justice is *sublimated*, not removed from the human domain altogether but bound into a greater, worldly economy beyond good and evil. That is to say, Nietzschean justice is an ennoblement of the concept: a broadening of its scope and a recovery of its aesthetic dimension that has been lost during almost two thousand years of moralizing. Ennoblement is a key element in Nietzschean justice. He is no exorcizing Puritan, but gladly accepts negativities as essential in contributing to the richness of the world. In this, he returns to a classic, particularly Heraclitian notion of justice as *dikē*, the largely indifferent play of the world, or the world as playing child, the *pais paison* that adheres only to its own rules, rules beyond the reach of even the strongest human individual or determined metaphysician. The world, because of its Dionysian unfathomableness can never be completely thought, and never completely mastered. To be at ease in such a world, to go with the flow of Nietzschean justice, one has to join the playing child and enhance its game, rather than to try and put an end to it.

Contrary to popular belief, the moralization of justice did not come to an end with the advent of the 'postmodern', or rather the late modern period. For although the word 'justice' appears frequently in so many contemporary texts on the topic, what seems to be understood by it corresponds more closely to the ethical domain. Postmodernism, as a matter of fact, is best identified by its promotion of a 'responsibility to otherness'. This responsibility to otherness, and postmodernism's accompanying embrace of contingency, have been marshalled against the rigidity and closure of certain modernist notions of justice, understood as a rational social order. However, the attempt to bring the 'subject' to a close is in the name of a moral discourse that is every bit as restrictive, and yet *measureless*, as that of traditional

Christianity. This makes Nietzsche, and in particular his conception of justice, more relevant than ever before. If ethics is, according to Levinas and Derrida, the domain of the infinite, then justice is the domain of the limit. And justice, simply understood as ethics, does violence to both justice and the ethical. By over-emphasizing the ethical, the negativity of exclusivity is exchanged for the negativity of the amorphous. For all his usage of the tragic, Derrida ignores the most fundamental Nietzschean tragic lesson: that excess requires at least a degree of a temporary but essential stability. The postmodern use of tragedy in general appears to be very one-sided: the vulnerability of the subject in the face of the events is emphasized at the expense of a richer understanding of tragedy, an understanding that allows for meaningful agency, albeit not in the form of the traditional subject.

It would perhaps be more accurate to describe Nietzsche's development of a concept of justice as a *re*-sublimation of justice, because as I have indicated in chapter one, he conceives of justice in terms similar to those of the ancient Greeks. He is, however, at pains to distance himself from his ancient sources of inspiration. After all, nothing would be more nihilistic than a romantic hankering after an ancient past. For this reason, he establishes a new vocabulary that attempts to place man back into the cosmological order from which he vainly attempted to escape for so long through his endless metaphysical constructions. An important element of this 'reconciliation' is the rehabilitation of man as an *evaluating* animal: whereas (according to Nietzsche), the philosophical tradition sought to limit legislation and formation to the discovery of objective 'truths', for Nietzsche, the ability to legislate and give names is what makes the human being *human*. Nietzsche's vision of the *Übermensch* is an attempt to get man to seize his long abandoned role as legislator, and make the most of what the world offers. In a nutshell: the demands of Nietzschean justice are fulfilled when healthy strength displays itself as strength, when strength and health unashamedly claim the world for their own. This legislative ability, however, is not absolute. Man stands in a potent relationship between his own power to shape the world and the tendency of the world to 'push back', to resist human will and to hide itself from the penetrating rational gaze.

This is why the theme of tragedy remains so important throughout the Nietzschean oeuvre. The tragic artist/actor/thinker is able to reconcile himself to the ultimate unfairness of cosmic justice from a human perspective without the need to read a moral system into the order of things. It is a sign of great strength if one can



face up to the brutal indifference of the world without the need to look for a moral order where there is none:

Daraus ergibt sich, in's Große gerechnet, daß die Vorliebe für fragwürdige und furchtbare Dinge ein Symptom für Stärke ist: während der Geschmack am Hübschen und Zierlichen den Schwachen, den Delikatsten zugehört. Die Lust an der Tragödie kennzeichnet starke Zeitalter und Charaktere: ihr non plus ultra ist vielleicht die divina commedia. Es sind die heroischen Geister, welche zu sich selbst in der tragischen Grausamkeit Ja sagen: sie sind hart genug, um das Leiden als Lust zu empfinden (Aphorism 11691, KSA 12.555).

Nietzschean justice occurs where the will to power is allowed free play and strength, be it in the form of individual power or that of a culture, tradition or art, is allowed to reach its full potential. This will necessarily entail hierarchy, differentiation and inequality. To define justice in any other terms is to risk Nietzschean injustice. The following passage underlines, again, that for Nietzsche a choice has to be made between a noble and aristocratic conception of justice, whose aim is to stimulate richness, and a more 'democratic' conception of justice whose goal is equality and compassion, for the two cannot be reconciled:

Wenn wirklich die Kultur im Belieben eines Volkes stünde, wenn hier nicht unentrinnbare Mächte walteten, die dem Einzelnen Gesetz und Schranke sind, so wäre die Verachtung der Kultur, die Verherrlichung der Armuth des Geistes, die bilderstürmerische Vernichtung der Kunstansprüche *mehr* als eine Auflehnung der unterdrückten Masse gegen drohenartige Einzelne: es wäre der Schrei des Mitleidens, der die Mauern der Kultur umrisse; der Trieb nach Gerechtigkeit nach Gleichmaaß des Leidens würde alle anderen Vorstellungen überfluthen. Wirklich hat ein überschwänglicher Grad des Mitleidens auf kurze Zeit hier und da einmal alle Dämme des Kulturlebens zerbrochen (*Der griechische Staat* KSA 1.768).

For Nietzsche, ultimate injustice is generated by an obsession with justice as equality and absence of pain. It is not an injustice merely towards the weak – that could still be tolerated – but an injustice towards the strong, the valiant and the imaginative. This is true injustice indeed. While it *is* possible for the strong or aristocratic to be unjust towards the weak and slavish – Nietzsche was no mere defender of tyranny – it is a form of injustice more in touch with the greater cosmic forces that seek to assert their strength. Such an injustice would be preferable to what Nietzsche sees as the ultimate form of injustice, namely the triumph of the weak. Ironically, this triumph is

not only aesthetically unpleasing and counter to the desire of the will to power to discharge itself as strength, but it is *inhumane* as well. As it is unjust to demand of strength to manifest itself only as weakness, so it is inhumane to demand of weakness that it maintains itself in the world as strength. This is why there is a unique *honesty* to Nietzsche's conception of justice: it is far more faithful to the world than any liberal fantasy spawned by modern *demands* for justice.

Finally, the last word on pain and tragic justice. To be just in Nietzsche's eyes, to count as a truly tragic soul, one must affirm pain in all its forms, the strangest as well as the hardest problems, becoming, passing away and destruction. Nietzschean justice is the very opposite of desiring to live in a pain-free world. Not only must pain be acknowledged, it must actively be sought out. The tragic soul not only acknowledges the existence of pain, but its *necessity*, and affirms it in the strongest way possible. And judgement is a key element in affirmation.

Es ist die Frage der Kraft (eines Einzelnen oder eines Volkes), ob und wo das Urtheil 'schön' angesetzt wird. Das Gefühl der Fülle, der aufgestauten Kraft (aus dem es erlaubt ist Vieles muthig und wohlgemuth entgegenzunehmen, vor dem der Schwächling schaudert) – das Machtgefühl spricht das Urtheil 'schön' noch über Dinge und Zustände aus, welche der Instinkt der Ohnmacht nur als hassenswerth als 'häßlich' abschätzen kann. Die Witterung dafür, womit wir ungefähr fertig werden würden, wenn es leibhaft entgegenträte, als Gefahr, Problem, Versuchung, – diese Witterung bestimmt auch noch unser aesthetisches Ja: ('das ist schön' ist eine Bejahung) (*Aphorism* 11691 KSA12.556).

Although the world must be loved, affirmed and approved *in toto*, it is the very *undetermined* quality of the world that makes human freedom possible. *Physis* requires *nomos*, to deny this would make life in the world impossible. Legislation however, is no mere restriction, but *creation*: the most human of all actions and activities.